

Bills have carefully examined and compared

H. B. No. 246, A bill to be entitled "An Act to create and establish a court of record in Bowie county, Texas, to be called and known as the Texarkana Court at Law; to define and limit the jurisdiction and powers of said court, and the territorial limits thereof; to conform the jurisdiction of the district and inferior courts thereto; to provide for the appointment, election and qualification of a judge and a clerk of said court and fix their compensation and tenure of office, and define their duties and powers, and to repeal all laws in conflict herewith, and declaring an emergency,"

And find the same correctly engrossed.  
DINKLE, Chairman

Committee Room,  
Austin, Texas, March 7, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 65, A bill to be entitled "An Act to amend Articles 4918a, 4918f, 4918g, 4918i, 4918j, Title 17, Chapter 10a, Revised Statutes of Texas, 1914, authorizing the incorporation of mutual hail insurance companies; regulating the business of said companies, providing for the investment of reserve fund; requiring annual reports; fixing fees to be paid by such companies, and declaring an emergency. (Act 1913, p. 40.) Enlarging the scope of business by authorizing such mutual companies to insure against loss or damage to growing crops caused by hail, windstorms, sandstorms, excessive rains, floods, drouth, boll worms, bell weevil, insects, winter kill, freeze or other menace of substantial existence; providing a method for mutual hail insurance companies now existing to amend their charters, and declaring an emergency,"

And find the same correctly engrossed.  
DINKLE, Chairman.

#### FORTY-FIRST DAY.

(Thursday, March 8, 1923.)

The House met at 9 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Seagler.

The roll was called and the following members were present:

Abney.	Jones.
Amsler.	Kemble.
Arnold.	Lackey.
Atkinson.	Laird.
Avis.	Lamb.
Baker of Milam.	Lane.
Baker of Orange.	LeMaster.
Baldwin.	LeStourgeon.
Barker.	Lewis.
Barrett.	Loftin.
Beasley.	Looney.
Bell.	McBride.
Bird.	McDaniel.
Blount.	McDonald.
Bonham.	McFarlane.
Brady.	McKean.
Bryant.	McNatt.
Burmeister.	Martin.
Cable.	Mathes.
Carpenter	Maxwell.
of Dallas.	Melson.
Carpenter	Merritt.
of Matagorda.	Miller.
Carson.	Montgomery.
Carter of Hays.	Moore.
Chitwood.	Morgan
Coffee.	of Liberty.
Collins.	Morgan
Covey.	of Robertson.
Cowen.	Pate.
Crawford.	Patman.
Culp.	Patterson.
Davenport.	Perdue.
Davis.	Pinkston.
DeBerry.	Pope.
Dielmann.	Potter.
Dinkle.	Price.
Dodd.	Purl.
Downs.	Quaid.
Driggers.	Quinn.
Duffey.	Rice.
Dunlap.	Robinson.
Dunn.	Rogers.
Durham.	Russell
Edwards.	of Callahan.
Faubion.	Russell of Trinity.
Fields.	Sackett.
Finlay.	Sanford.
Fugler.	Satterwhite.
Gipson.	Shearer.
Greer.	Shires.
Hardin of Erath.	Simpson.
Hardin	Smith.
of Kaufman.	Sparkman.
Harrington.	Stell.
Harris.	Stewart
Henderson	of Edwards.
of Marion.	Stewart of Jasper.
Henderson	Stewart of Reeves.
of McLennan.	Stiernberg.
Hendricks.	Storey.
Houston.	Stroder.
Howeth.	Sweet.
Hughes.	Teer.
Irwin.	Thompson.
Jacks.	Thrasher.
Jennings.	Turner.

Wallace.  
Westbrook.  
Wessels.  
Wilmsans.

Wilson.  
Winfree.  
Young.

Absent.

Green.  
Hull.  
Pool.  
Rountree.

Stevens.  
Vaughan.  
Wells.

Absent—Excused.

Bobbitt.  
Carter of Coke.  
Frnka.  
Johnson.  
Lusk.

Merriman.  
Rowland.  
Strickland.  
Williamson.

A quorum was announced present.

Prayer was offered by Rev. J. C. Mitchell, Chaplain.

#### LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Patman, for last Tuesday, on motion of Mr. Henderson of Marion.

Mr. Bobbitt, for today, on motion of Mr. Arnold.

Mr. Johnson, for today, on motion of Mr. Brady.

Mr. Cable, for today, on motion of Mr. Edwards.

Mr. Covey, for today, on motion of Mr. Hardin of Erath.

The following members were granted leaves of absence on account of sickness:

Mr. Williamson, for today, on motion of Mr. Dielmann.

Mr. Price, for yesterday, on motion of Mr. Wallace.

#### MEMORIALIZING PRESIDENT OF UNITED STATES.

Mr. LeSturgeon offered the following resolution:

H. C. R. No. 29, Memorializing the President of the United States.

Whereas, On July 1, 1922, about 400,000 railway shopmen went on strike in the United States, which vitally affected and stagnated the commerce of the United States; and

Whereas, On July 31, 1922, you offered your good office as mediator to end the industrial dispute between the shopmen and the railroad managements, offering terms of settlement which you stated of the Federated Shop Crafts that if they would accept same and the railroad managers should refuse, that

you would carry your position to the American people; and

Whereas, The officers of the Federated Shop Crafts did comply with your wishes and accepted your terms of settlement, and the railroad managements refused to accept same, thereby causing a continuation of the strike which was at that time, and is now vitally affecting practically every industry in these United States; and

Whereas, It is now well into the eighth month since this industrial dispute arose, and only about one-half of the trunk line railroads of the United States have settled with their shopmen, with very little, if any improvement of the transportation service on roads that have not settled, and which has to a great extent, if not totally so, handicapped the shippers of the various industries in obtaining sufficient cars on such roads that have not settled with their former shopmen, thereby causing great losses in fruit and agricultural products and to practically every shipper. There is very little, if any, improvement in the transportation service of this nation today, and to continue deferring of the repairing of mechanical equipment will have a more disastrous effect on industrial and agricultural prosperity in the coming harvesting season which is very near at hand, and will have an appalling effect on the people of this nation unless immediate correction is made and the situation relieved. And by reason of the above mentioned facts and conditions, this industrial dispute has become a public concern; therefore, be it

Resolved, That on behalf of the public and the various industries of this great nation, and on behalf of peace and prosperity of all the people, and on behalf of the thousands of skilled mechanics who are out of employment (not only those who were formerly in the railroad service but the thousands of unemployed in the various other industries of our nation) because of the effects of this strike and the inability of the industries to expand and function and meet the great needs of the people of our nation as long as this industrial dispute continues, we urgently request that you again use your good office to bring about a settlement of this industrial struggle. Be it further

Resolved, That a copy of this resolution be furnished to each United States Senator and Congressman from this State.

Signed—LeSturgeon, Jones, Kemble, Howeth.

The resolution was read second time.

Mr. Loftin moved that the resolution be referred to the Committee on State Affairs.

Mr. Purl moved as a substitute that the resolution be referred to the Committee on Common Carriers.

Question first recurring on the motion of Mr. Purl, it prevailed.

#### COMMENDING BOY SCOUT ORGANIZATION.

Mr. DeBerry offered the following resolution:

Whereas, The organization of the Boy Scouts of America has, this week, been vividly called to our attention;

Whereas, It is an undisputed fact that upon the ideals of the youth of the land depend the future success or failure of the coming generation;

Whereas, It is a matter of common knowledge and pride that the organization of Boy Scouts of America are meritoriously teaching and practicing the ideals most dear to the heart of the American people;

Whereas, We are aware of the fact that when we at any time fail to voice our individual or collective approval of merit in the youth, that we fall far short of our mutual privilege and duty; therefore, be it

Resolved, That we, the members of the House of Representatives of the State, of Texas, heartily approve and commend the principles and work of the Boy Scouts of America, and that we are anxious for each Boy Scout to feel that he is a subject of approval and interest to each of us.

Resolved, That one copy of this resolution be sent to the local organization here, one to the Texas head organization, and one to the head of the national organization of Boy Scouts of America.

Signed—DeBerry, Westbrook, Patman, Blount.

The resolution was read second time and was adopted.

#### HOUSE BILL NO. 136 WITH SENATE AMENDMENTS.

Mr. Henderson of Marion called up from the Speaker's table, with Senate amendments, for consideration of the amendments;

H. B. No. 136, A bill to be entitled "An Act amending Section 39 of Chapter 42, General Laws of the First Called

Session of the Thirty-seventh Legislature, relative to public roads and highways, so as to except and exempt from the provisions of said chapter the county of Marion, and declaring an emergency."

The Speaker laid the bill before the House and the Senate amendments were read.

Mr. Henderson of Marion moved that the House concur in the Senate amendments.

The Clerk was directed to call the roll and the House concurred in the Senate amendments by the following vote:

Yeas—103.

Mr. Speaker.	Henderson
Abney.	of McLennan.
Amsler.	Houston.
Arnold.	Howeth.
Atkinson.	Hughes.
Avis.	Kemble.
Baker of Milam.	Lackey.
Baker of Orange.	Laird.
Baldwin.	Lane.
Barker.	LeSturgeon.
Barrett.	Loftin.
Beasley.	Lusk.
Bell.	McBride.
Blount.	McDaniel.
Bonham.	McDonald.
Brady.	McFarlane.
Bryant.	McNatt.
Burmeister.	Mathes.
Carpenter	Maxwell.
of Matagorda.	Melson.
Carson.	Merriman.
Carter of Hays.	Merritt.
Chitwood.	Moore.
Coffee.	Morgan
Covey.	of Liberty.
Cowan.	Morgan
Crawford.	of Robertson.
Culp.	Pate.
Davis.	Patman.
DeBerry.	Patterson.
Dinkle.	Perdue.
Dodd.	Pinkston.
Downs.	Pope.
Driggers.	Potter.
Duffey.	Purl.
Dunlap.	Quaid.
Dunn.	Rice.
Durham.	Robinson.
Edwards.	Rogers.
Faubion.	Russell
Fields.	of Callahan.
Finlay.	Sackett.
Greer.	Sanford.
Hardin of Erath.	Satterwhite.
Harrington.	Shearer.
Harris.	Simpson.
Henderson	Smith.
of Marion.	Sparkman.

Stell.	Thrasher.
Stewart	Wallace.
of Edwards.	Wells.
Stewart of Jasper.	Westbrook.
Storey.	Wilmans.
Stroder.	Wilson.
Sweet.	Winfree.
Teer.	Young.
Thompson.	

Nays—2.

Looney.	Martin.
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Absent.

Bird.	LeMaster.
Carpenter	Lewis.
of Dallas.	McKean.
Collins.	Miller.
Davenport.	Montgomery.
Dielmann.	Pool.
Fugler.	Price.
Gipson.	Quinn.
Green.	Rountree.
Hardin	Russell of Trinity.
of Kaufman.	Shires.
Hendricks.	Stevens.
Hull.	Stewart of Reeves.
Irwin.	Stiernberg.
Jacks.	Turner.
Jennings.	Vaughan.
Jones.	Wessels.
Lamb.	

Absent—Excused.

Bobbitt.	Johnson.
Cable.	Rowland.
Carter of Coke.	Strickland.
Frnka.	Williamson.

## MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, March 7, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 582, A bill to be entitled "An Act creating the Fairview Independent School District in Wichita county, Texas; defining its boundaries; providing for a board of trustees for said independent school district; prescribing their qualifications and terms of office; defining the rights, powers and privileges of said board; and conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the general laws of the State of Texas upon independent school districts and the board of trustees thereof; providing for the creation of a board of trustees; providing for the raising of revenues; declaring valid a maintenance tax heretofore voted; and providing for

the assessment and collection of said tax and for a board of equalization of said school district; and providing for the election of trustees thereof; providing for the transportation of pupils under certain conditions, and repealing all laws in so far as they may be in conflict herewith, and declaring an emergency."

H. B. No. 182, A bill to be entitled "An Act authorizing and directing the administrative or governing authorities of the public educational institutions of this State to except and exempt from the payment of all dues, fees, and charges except for board and clothing of all citizens of Texas who served as nurses or in the armed forces of the United States during the late war, and giving said citizens a preferential right to be admitted to the benefits of said institutions, and declaring an emergency," with amendments.

S. B. No. 257, A bill to be entitled "An Act to amend Sections 1 and 2, Chapter 49, General Laws of the Regular Session of the Thirty-fourth Legislature; raising the maximum age prescribed for compulsory attendance in the public schools of the State; increasing the compulsory school attendance period; restating certain exemptions under said act, and declaring an emergency."

The Committee on Education has reported House bill No. 559 adversely.

Respectfully,

RICHARD BLALOCK,

Assistant Secretary of the Senate.

## HOUSE BILL NO. 12 WITH SENATE AMENDMENTS.

Mr. Cowen called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 12, A bill to be entitled "An Act to provide revenue for the support of the public free schools of Texas, and to levy a tax of two cents per gallon on all gasoline sold in the State of Texas for the support of the public free schools of Texas, and declaring an emergency."

The Speaker laid the bill before the House and the Senate amendments were read.

Mr. Cowen moved that the House concur in the Senate amendments.

The Clerk was directed to call the roll, and the House concurred in the Senate amendments by the following vote:

Yeas—102.

Mr. Speaker.	Arnold.
Abney.	Atkinson.
Amsler.	Avis.

Baker of Milam.	Lamb.
Baker of Orange.	Lane.
Baldwin.	LeMaster.
Barker.	LeStourgeon.
Barrett.	Lewis.
Beasley.	McBride.
Bell.	McDonald.
Bird.	McFarlane.
Blount.	McNatt.
Bonham.	Martin.
Brady.	Maxwell.
Burmeister.	Melson.
Cable.	Merritt.
Carpenter	Montgomery.
of Matagorda.	Moore.
Carson.	Morgan
Carter of Hays.	of Robertson.
Chitwood.	Pate.
Collins.	Patman.
Covey.	Patterson.
Cowen.	Pinkston.
Crawford.	Potter.
Culp.	Price.
Davenport.	Purl.
Davis.	Rice.
DeBerry.	Robinson.
Dodd.	Russell
Downs.	of Callahan.
Driggers.	Sackett.
Duffey.	Sanford.
Dunlap.	Satterwhite.
Dunn.	Shearer.
Edwards.	Simpson.
Faubion.	Smith.
Fields.	Sparkman.
Gipson.	Stell.
Greer.	Stewart
Hardin of Erath.	of Edwards.
Harrington.	Stewart of Jasper.
Harris.	Stewart of Reeves.
Henderson	Stiernberg.
of Marion.	Storey.
Henderson	Stroder.
of McLennan.	Sweet.
Houston.	Thrasher.
Howeth.	Wallace.
Hughes.	Wells.
Irwin.	Westbrook.
Jennings.	Wessels.
Kemble.	Wilson.
Lackey.	Winfree.

Nays—8.

Bryant.	Morgan
Dinkle.	of Liberty.
Finlay.	Perdue.
Hull.	Rogers.
Laird.	Young.

Present—Not Voting.

Hardin	Looney.
of Kaufman.	

Absent.

Coffee.	Durham.
Dielmann.	Fugler.

Green.	Quinn.
Hendricks.	Rountree.
Jacks.	Russell of Trinity.
Jones.	Shires.
Loftin.	Stevens.
McDaniel.	Strickland.
McKean.	Teer.
Mathes.	Thompson.
Miller.	Turner.
Pool.	Vaughan.
Pope.	Wilmans.
Quaid.	

Absent—Excused.

Bobbitt.	Johnson.
Carpenter	Lusk.
of Dallas.	Merriman.
Carter of Coke.	Rowland.
Frnka.	Williamson.

## HOUSE BILL NO. 244 WITH SENATE AMENDMENTS.

Mr. Greer called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 244, A bill to be entitled "An Act to relieve various schools of the State by validating certain school districts, and where such districts have undertaken to provide for the issuance of schoolhouse bonds or the levying of special taxes for any lawful school purposes, by proceedings not otherwise invalid; validating such bond issues and taxes, and declaring an emergency."

The Speaker laid the bill before the House and the Senate amendments were read.

Mr. Greer moved that the House concur in the Senate amendments.

The Clerk was directed to call the roll, and the House concurred in the Senate amendments by the following vote:

Yeas—105.

Abney.	Cowen.
Amsler.	Crawford.
Arnold.	Culp.
Atkinson.	Davenport.
Baker of Milam.	DeBerry.
Baker of Orange.	Dielmann.
Baldwin.	Dinkle.
Barrett.	Dodd.
Beasley.	Downs.
Bell.	Driggers.
Brady.	Duffey.
Bryant.	Dunlap.
Cable.	Dunn.
Carpenter	Edwards.
of Dallas.	Faubion.
Carpenter	Fields.
of Matagorda.	Finlay.
Carson.	Greer.
Chitwood.	Hardin of Erath.
Collins.	Hardin
Covey.	of Kaufman.

Harrington.	Perdue.
Henderson	Pinkston.
of Marion.	Pope.
Henderson	Potter.
of McLennan.	Price.
Hendricks.	Purl.
Houston.	Rice.
Howeth.	Robinson.
Hughes.	Rogers.
Hull.	Russell
Jacks.	of Callahan.
Jennings.	Sackett.
Jones.	Sanford.
Lackey.	Satterwhite.
Laird.	Shearer.
Lamb.	Shires.
Lane.	Simpson.
LeMaster.	Smith.
LeStourgeon.	Sparkman.
Lewis.	Stell.
Loftin.	Stewart
Looney.	of Edwards.
McBride.	Stewart of Jasper.
McDaniel.	Stewart of Reeves.
McNatt.	Stiernberg.
Martin.	Storey.
Maxwell.	Stroder.
Melson.	Sweet.
Merritt.	Thrasher.
Montgomery.	Wallace.
Moore.	Wells.
Morgan	Westbrook.
of Liberty.	Wessels.
Morgan	Wilson.
of Robertson.	Winfree.
Patman.	Young.
Patterson.	

Present—Not Voting.

Bird. Carter of Hays.

Absent.

Avis.	McKean.
Barker.	Mathes.
Blount.	Miller.
Bonham.	Pate.
Burmeister.	Pool.
Coffee.	Quaid.
Davis.	Quinn.
Durham.	Rountree.
Fugler.	Rowland.
Gipson.	Russell of Trinity.
Green.	Stevens.
Harris.	Teer.
Irwin.	Thompson.
Kemble.	Turner.
McDonald.	Vaughan.
McFarlane.	Wilmons.

Absent—Excused.

Bobbitt.	Lusk.
Carter of Coke.	Merriman.
Frnka.	Strickland.
Johnson.	Williamson.

#### HOUSE BILL NO. 328 WITH SENATE AMENDMENTS.

Mr. Melson called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 328, A bill to be entitled "An Act to repeal Article 7383a, as enacted by the Thirty-sixth Legislature, relating to occupation taxes based upon gross receipts, and adding in lieu thereof a new Article 7383a, providing an occupation tax on sulphur produced in the State of Texas by individuals, companies, corporations and associations; providing that in the event of either or a part of article be held unconstitutional by the courts it shall not invalidate the remainder of said article, and declaring an emergency."

The Speaker laid the bill before the House and the Senate amendments were read.

Mr. Melson moved that the House do not concur in the Senate amendments, and that a free conference committee be requested to adjust the differences between the two houses on the bill.

The motion prevailed.

In accordance with the above action, the Speaker announced the following conference committee on the part of the House on House bill No. 328:

Messrs. Melson, Culp, Blount, Jones and Winfree.

#### HOUSE BILL NO. 182 WITH SENATE AMENDMENTS.

Mr. Dunn called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 182, A bill to be entitled "An Act authorizing and directing the administrative or governing authorities of the public educational institutions of this State to except and exempt from the payment of all dues, fees, and charges except for board and clothing, of all citizens of Texas who served as nurses or in the armed forces of the United States during the late war, and giving said citizens a preferential right to be admitted to the benefits of said institutions, and declaring an emergency."

The Speaker laid the bill before the House and the Senate amendments were read.

On motion of Mr. Dunn, the House concurred in the Senate amendments.

#### EXTENDING THANKS TO AMATEUR CHORAL CLUB.

Mr. Smith offered the following resolution:

Whereas, The members of the Senate and House of the Thirty-eighth Legislature were most pleasantly entertained by the Amateur Choral Club of Austin on the evening of March 6, 1923, in the Senate Chamber; therefore, be it

Resolved, That we extend our thanks to the club and assure them that a return engagement will be appreciated any time.

Signed—Smith, Young, Dielmann.

The resolution was read second time and was adopted.

#### SENATE BILL NO. 40 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 40, A bill to be entitled "An Act to define and regulate the practice of professional nursing; to create a Board of Nurse Examiners for the examination and licensing of nurses and to prescribe their qualifications; to provide for the proper registration and for the revocation of certificates and to fix suitable penalty for the violation of this act; to repeal all laws and parts of laws in conflict herewith, and declaring an emergency."

The bill was read third time and was passed by the following vote:

Yeas—56.

Amsler.	Lamb.
Atkinson.	Lane.
Baldwin.	LeMaster.
Barker.	LeStourgeon.
Barrett.	McBride.
Beasley.	McKean.
Bell.	Martin.
Brady.	Maxwell.
Carpenter	Morgan
of Dallas.	of Robertson.
Carpenter	Pate.
of Matagorda.	Patman.
Carson.	Patterson.
Carter of Hays.	Quaid.
Davenport.	Rice.
DeBerry.	Robinson.
Dielmann.	Russell
Dinkle.	of Callahan.
Dodd.	Sackett.
Driggers.	Satterwhite.
Dunlap.	Shearer.
Dunn.	Smith.
Faubion.	Sparkman.
Fugler.	Stewart
Henderson	of Edwards.
of McLennan.	Stewart of Reeves.
Hendricks.	Stiernberg.
Hughes.	Sweet.
Kemble.	Teer.
Lackey.	Thrasher.

Westbrook.  
Wilmons.

Wilson.

Nays—45.

Abney.	Jennings.
Arnold.	Jones.
Avis.	Laird.
Baker of Milam.	Lewis.
Baker of Orange.	Looney.
Burmeister.	McDaniel.
Cable.	McDonald.
Collins.	McNatt.
Covey.	Merritt.
Cowen.	Montgomery.
Culp.	Moore.
Davis.	Morgan
Downs.	of Liberty.
Durham.	Pinkston.
Finlay.	Purl.
Hardin of Erath.	Rogers.
Hardin	Rountree.
of Kaufman.	Sanford.
Harris.	Stell.
Houston.	Stewart of Jasper.
Howeth.	Thompson.
Hull.	Wells.
Jacks.	Wessels.

Present—Not Voting.

Bird.	Price.
Chitwood.	Simpson.
Fields.	Young.
Irwin.	

Absent.

Blount.	Melson.
Bonham.	Miller.
Bryant.	Perdue.
Coffee.	Pool.
Crawford.	Pope.
Duffey.	Potter.
Edwards.	Quinn.
Gipson.	Russell of Trinity.
Green.	Shires.
Greer.	Stevens.
Harrington.	Storey.
Henderson	Stroder.
of Marion.	Turner.
Loftin.	Vaughan.
McFarlane.	Wallace.
Mathes.	Winfree.

Absent—Excused.

Bobbitt.	Merriman.
Carter of Coke.	Rowland.
Frnka.	Strickland.
Johnson.	Williamson.
Lusk.	

#### SENATE BILL NO. 72 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage, S. B. No. 72, A bill to be entitled "An Act to amend Chapter 5, Title 8, of the Code of Criminal Procedure of

the State of Texas of 1911, so as to prevent the reversal of criminal cases by the Court of Criminal Appeals upon technicalities and irregularities."

The bill was read third time.

(Mr. Quaid in the chair.)

Mr. DeBerry moved the previous question on the passage of the bill, and the main question was ordered.

(Speaker in the chair.)

Mr. Teer moved a call of the House for the purpose of maintaining a quorum pending consideration of Senate bill No. 72, and the call was duly seconded.

The Speaker then directed the Doorkeeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

The roll was called and a quorum was announced present.

On motion of Mr. Quaid, the Sergeant-at-Arms was instructed to bring in all absentees within the Capitol building.

Question recurring on the final passage of the bill, yeas and nays were demanded.

Senate bill No. 72 then failed to pass by the following vote:

#### Yeas—59.

Atkinson.	Laird.
Avis.	Lamb.
Baker of Milam.	Lane.
Baldwin.	LeMaster.
Barrett.	LeStourgeon.
Bell.	McDonald.
Bryant.	McFarlane.
Cable.	Martin.
Carpenter	Mathes.
of Matagorda.	Merritt.
Carter of Hays.	Miller.
Coffee.	Pate.
Cowen.	Patterson.
Davis.	Perdue.
Dinkle.	Pinkston.
Dodd.	Quinn.
Downs.	Russell of Trinity.
Driggers.	Sackett.
Duffey.	Sanford.
Dunn.	Shearer.
Edwards.	Simpson.
Faubion.	Sparkman.
Fields.	Stell.
Finlay.	Stewart
Gipson.	of Edwards.
Hardin of Erath.	Stewart of Jasper.
Harris.	Stewart of Reeves.
Hendricks.	Sweet.
Kemble.	Teer.

Wallace.  
Wells.

Westbrook.

#### Nays—70.

Abney.	Lackey.
Amsler.	Lewis.
Arnold.	Loftin.
Baker of Orange.	Looney.
Beasley.	Lusk.
Bird.	McBride.
Blount.	McDaniel.
Bonham.	McKean.
Brady.	McNatt.
Burmeister.	Maxwell.
Carpenter	Montgomery.
of Dallas.	Moore.
Carson.	Morgan
Chitwood.	of Liberty.
Collins.	Morgan
Covey.	of Robertson.
Crawford.	Patman.
Culp.	Pool.
DeBerry.	Pope.
Dielmann.	Price.
Dunlap.	Purl.
Durham.	Quaid.
Fugler.	Rice.
Green.	Robinson.
Greer.	Rogers.
Hardin	Rountree.
of Kaufman.	Russell
Harrington.	of Callahan.
Henderson	Satterwhite.
of Marion.	Shires.
Henderson	Smith.
of McLennan.	Stiernberg.
Houston.	Storey.
Howeth.	Thompson.
Hughes.	Thrasher.
Hull.	Turner.
Irwin.	Wessels.
Jacks.	Wilson.
Jennings.	Winfree.
Jones.	Young.

#### Present—Not Voting.

Wilmons.

#### Absent.

Barker.	Rowland.
Davenport.	Stevens.
Melson.	Stroder.
Potter.	Vaughan.

#### Absent—Excused.

Bobbitt.	Merriman.
Carter of Coke.	Strickland.
Frnka.	Williamson.
Johnson.	

Mr. Jones moved to reconsider the vote by which the bill failed to pass.

Mr. Burmeister called up the motion to reconsider and moved to table the motion.

The motion to table prevailed.



## SENATE BILL NO. 135 ON SECOND READING.

The Speaker laid before the House, as postponed business, on its second reading and passage to third reading,

S. B. No. 135, Making certain appropriation to cover deficiencies in appropriations heretofore made for the support of the State government for the fiscal year ending August 31, 1922.

The bill having heretofore been read second time.

Senate bill No. 135 was then passed to third reading.

## SENATE BILL NO. 143 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage, S. B. No. 143, Relating to the regulation and supervision of the sale and purchase of stocks of private, foreign and domestic corporations.

The bill was read third time.

On motion of Mr. Jones, the bill was laid on the table subject to call.

## NOTICE GIVEN.

Mr. Carpenter of Dallas gave notice that he would on tomorrow call up for consideration at that time Senate bill No. 143, which bill had heretofore been laid on the table subject to call.

## SENATE BILL NO. 197 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage.

S. B. No. 197, A bill to be entitled "An Act to amend Section 1 of an act passed by the Thirty-fourth Legislature of Texas and approved March 22, 1915, creating the Tenth Judicial District of Texas, the same being Chapter 70 of the Acts of the Regular Session of the Thirty-fourth Legislature, and to create the Tenth Supreme Judicial District of Texas, and to provide for the organization of a Court of Civil Appeals within the said Tenth Supreme Judicial District, and to repeal all laws in conflict herewith, and declaring an emergency."

The bill was read third time and was passed by the following vote:

Yeas—83.

Arnold.	Bryant.
Baldwin.	Burmeister.
Barrett.	Carpenter
Beasley.	of Dallas.
Bell.	Carpenter
Brady.	of Matagorda.

Carson.  
Coffee.  
Covey.  
Culp.  
DeBerry.  
Dinkle.  
Dodd.  
Driggers.  
Duffey.  
Dunlap.  
Dunn.  
Durham.  
Edwards.  
Finlay.  
Fugler.  
Green.  
Hardin of Erath.  
Harrington.  
Harris.  
Henderson  
of Marion.  
Henderson  
of McLennan.  
Hendricks.  
Hughes.  
Irwin.  
Jones.  
Kemble.  
Laird.  
Lamb.  
Lane.  
LeMaster.  
LeSturgeon.  
Loftin.  
McDaniel.  
McDonald.  
McFarlane.  
McNatt.  
Martin.

Maxwell.  
Merritt.  
Miller.  
Montgomery.  
Moore.  
Morgan  
of Liberty.  
Morgan  
of Robertson.  
Patman.  
Patterson.  
Potter.  
Price.  
Purl.  
Quaid.  
Robinson.  
Rogers.  
Rountree.  
Russell  
of Callahan.  
Russell of Trinity.  
Sackett.  
Sanford.  
Satterwhite.  
Shearer.  
Shires.  
Simpson.  
Smith.  
Stevens.  
Stewart of Reeves.  
Stiernberg.  
Storey.  
Sweet.  
Teer.  
Thompson.  
Wallace.  
Wessels.  
Wilson.  
Young.

Nays—31.

Atkinson.	Howeth.
Avis.	Hull.
Baker of Milam.	Jacks.
Barker.	Jennings.
Cable.	Looney.
Carter of Hays.	Perdue.
Chitwood.	Rice.
Collins.	Sparkman.
Cowen.	Stell.
Davis.	Stewart
Downs.	of Edwards.
Faubion.	Thrasher.
Fields.	Turner.
Greer.	Wells.
Hardin	Westbrook.
of Kaufman.	Wilmans.
Houston.	

Present—Not Voting.

Abney.	Lackey.
Bird.	Pinkston.

Absent.

Amsler.	Blount.
Baker of Orange.	Bonham.

Crawford.	Pate.
Davenport.	Pool.
Dielmann.	Pope.
Gipson.	Quinn.
Lewis.	Stewart of Jasper.
McBride.	Stroder.
McKean.	Vaughan.
Mathes.	Winfree.
Melson.	

Absent—Excused.

Bobbitt.	Merriman.
Carter of Coke.	Rowland.
Frnka.	Strickland.
Johnson.	Williamson.
Lusk.	

Mr. Shires moved to reconsider the vote by which the bill was passed and to table the motion to reconsider.

The motion to table prevailed.

#### HOUSE BILL NO. 690 ON SECOND READING.

On motion of Mr. Patman, by unanimous consent, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 690, A bill to be entitled "An Act to provide for the appointment of a commission to revise and digest the General Laws of Texas; defining their powers and duties, and fixing the compensation of said commission; directing the commission to embody the revision in their report in the form of bills for adoption by the Legislature; authorizing the publication of the bills, and making appropriation for the purposes defined in this act, and declaring an emergency."

The bill was read second time and was passed to engrossment.

#### HOUSE BILL NO. 690 ON THIRD READING.

Mr. Patman moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 690 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—110.

Mr. Speaker.	Bird.
Abney.	Blount.
Amsler.	Bonham.
Arnold.	Brady.
Avis.	Bryant.
Baker of Milam.	Burmeister.
Baldwin.	Cable.
Barker.	Carpenter
Barrett.	of Dallas.
Beasley.	Carson.
Bell.	Chitwood.

Coffee.	Martin.
Collins.	Maxwell.
Covey.	Merritt.
Cowen.	Moore.
Crawford.	Morgan
Culp.	of Liberty.
Davis.	Morgan
DeBerry.	of Robertson.
Dielmann.	Patman.
Dinkle.	Patterson.
Dodd.	Perdue.
Downs.	Pope.
Driggers.	Potter.
Dunlap.	Price.
Dunn.	Purl.
Durham.	Quaid.
Edwards.	Rice.
Faubion.	Robinson.
Fields.	Rogers.
Finlay.	Rountree.
Green.	Russell
Greer.	of Callahan.
Hardin of Erath.	Russell of Trinity.
Harrington.	Sackett.
Harris.	Sanford.
Henderson	Satterwhite.
of Marion.	Shearer.
Hendricks.	Simpson.
Houston.	Smith.
Howeth.	Sparkman.
Hughes.	Stell.
Hull.	Stevens.
Irwin.	Stewart
Jacks.	of Edwards.
Jennings.	Stewart of Reeves.
Jones.	Stiernberg.
Kemble.	Storey.
Lackey.	Sweet.
Laird.	Teer.
Lamb.	Thompson.
Lane.	Thrasher.
LeMaster.	Wallace.
LeSturgeon.	Wells.
Lewis.	Westbrook.
Loftin.	Wessels.
McDonald.	Wilson.
McFarlane.	Winfree.
McNatt.	

Nays—3.

Atkinson.	Duffey.
Carter of Hays.	

Present—Not Voting.

McDaniel.

Absent.

Baker of Orange.	McBride.
Carpenter	McKean.
of Matagorda.	Mathes.
Davenport.	Melson.
Fugler.	Miller.
Gipson.	Montgomery.
Hardin	Pate.
of Kaufman.	Pinkston.
Henderson	Pool.
of McLennan.	Quinn.
Looney.	Shires.

Stewart of Jasper.	Williamson.
Stroder.	Wilmans.
Turner.	Young.
Vaughan.	

Absent—Excused.

Bobbitt.	Lusk.
Carter of Coke.	Merriman.
Frnka.	Rowland.
Johnson.	Strickland.

The Speaker then laid House bill No. 690 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—107.

Abney.	Henderson
Amsler.	of Marion.
Avis.	Hendricks.
Baker of Milam.	Howeth.
Baker of Orange.	Hughes.
Baldwin.	Hull.
Barker.	Jennings.
Barrett.	Jones.
Beasley.	Kemble.
Bell.	Lackey.
Bird.	Laird.
Blount.	Lamb.
Bonham.	Lane.
Brady.	LeMaster.
Bryant.	LeStourgeon.
Burmeister.	Lewis.
Cable.	McDaniel.
Carpenter	McDonald.
of Dallas.	McFarlane.
Carpenter	McNatt.
of Matagorda.	Martin.
Carson.	Maxwell.
Chitwood.	Merritt.
Coffee.	Moore.
Collins.	Morgan
Covey.	of Liberty.
Cowen.	Morgan
Crawford.	of Robertson.
Culp.	Patman.
Davis.	Patterson.
DeBerry.	Perdue.
Dielmann.	Pinkston.
Dinkle.	Pope.
Dodd.	Price.
Downs.	Purl.
Dunlap.	Quaid.
Dunn.	Rice.
Durham.	Robinson.
Edwards.	Rogers.
Faubion.	Rountree.
Fields.	Russell
Finlay.	of Callahan.
Fugler.	Russell of Trinity.
Green.	Sackett.
Greer.	Sanford.
Hardin of Erath.	Satterwhite.
Harrington.	Shearer.
Harris.	Simpson.

Smith.	Sweet.
Sparkman.	Teer.
Stell.	Thompson.
Stevens.	Thrasher.
Stewart	Wallace.
of Edwards.	Wells.
Stewart of Reeves.	Westbrook.
Stiernberg.	Wilson.
Storey.	Winfree.

Nays—4.

Atkinson.	Duffey.
Carter of Hays.	Looney.

Absent.

Arnold.	Miller.
Davenport.	Montgomery.
Driggers.	Pate.
Gipson.	Pool.
Hardin	Potter.
of Kaufman.	Quinn.
Henderson	Shires.
of McLennan.	Stewart of Jasper.
Houston.	Stroder.
Irwin.	Turner.
Jacks.	Vaughan.
Loftin.	Wessels.
McBride.	Williamson.
McKean.	Wilmans.
Mathes.	Young.
Melson.	

Absent—Excused.

Bobbitt.	Lusk.
Carter of Coke.	Merriman.
Frnka.	Rowland.
Johnson.	Strickland.

## SENATE BILL NO. 8 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 8, A bill to be entitled "An Act providing that if any sheriff, deputy sheriff, constable, ranger, city marshal, chief of police, policeman, or any other public officer in this State having under arrest or in his custody as prisoner any person, shall torture, torment or punish any such person by inflicting on him any mental or physical pain for the purpose of making such person confess any knowledge of the commission of any crime, such officer shall be deemed guilty of a misdemeanor and shall be punished as hereinafter provided, and declaring an emergency."

The bill was read second time and was passed to third reading.

## SENATE BILL NO. 21 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 21, A bill to be entitled "An Act to permit defendants in cases in which requisitions have been issued for them by the Governor and where they appeal their cases to the Court of Criminal Appeals to give bond the same as defendants in other felony cases, and declaring an emergency."

The bill was read second time.

On motion of Mr. Jacks, the bill was laid on the table subject to call.

#### BILL ORDERED NOT PRINTED.

On motion of Mr. Sackett, Senate bill No. 405 was ordered not printed.

#### SENATE BILL NO. 121 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 121, A bill to be entitled "An Act to amend Article 3107 of the Revised Civil Statutes of Texas of 1911, which relates to county executive committee, county and precinct chairmen elected at primaries, such committees now composed of one member from each voting or justice precinct in such county, as the party executive committee may, as the county chairman and a precinct chairman for each voting or justice precinct, as the case may be, are elected by the qualified voters of the county on primary election day by providing that the county executive committee shall be composed of one member from each justice precinct in the county and a county chairman elected from the whole county; and providing that the members of the said committee shall be elected at the precinct conventions held on the primary election day; providing for the election of a county chairman at the county convention held as provided for in Article 3134, Revised Civil Statutes, and providing the time for said executive committee to begin their term of office; and to repeal Article 3108 of the Revised Civil Statutes of Texas of 1911, relating to a county chairman of the executive committee, his election, member of the district executive committee, his term of office, etc., by providing that he shall be elected at the county convention of his party which is held as provided for in Article 3134 of the Revised Statutes of the State of Texas of 1911, and providing for the time for him to assume the duties of his office."

The bill was read second time.

On motion of Mr. Jacks, the bill was laid on the table subject to call.

#### SENATE BILL NO. 134 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 134, A bill to be entitled "An Act to amend Chapter 60 of the General Laws of the State of Texas passed by the Thirty-fifth Legislature as originally enacted, as amended by Chapter 12, General Laws of the First Called Session of the Thirty-fifth Legislature, as amended by the General Laws of the Third Called Session of the Thirty-sixth Legislature, by adding thereto fourteen (14) additional sections, designated as 15f, 15g, 15h, 15i, 15j, 15k, 15l, 15m, 15n, 15o, 15p, 15q, 15r and 15s; this amendment provides in substance that when cattle or sheep are found to be infected with cattle or sheep scabies, or are exposed to or have been exposed thereto, are upon premises where such scabies are known to have been within a certain period of time, the owners and caretakers thereof shall dip said cattle or sheep in a dip solution provided therefor at certain stated intervals after having first been notified by the Live Stock Sanitary Commission or its chairman to so dip the same; providing the contents of the notice to be given, providing for hearings to be had upon contest of such dipping order, providing for court review of such hearing; providing for inspection to be had of cattle or sheep and premises by the Live Stock Sanitary Commission or its representatives under certain conditions; providing for reasonable time after contest of dipping order to be given for the owners or caretakers to comply with said dipping order; providing that owners and caretakers of such animals shall gather same for inspection and a failure or refusal so to do shall be prima facie evidence that such animals or the premises where same are kept are infected with scabies; providing for disinfection of shearing plants, machinery and implements and the wearing apparel of laborers engaged in shearing sheep infected with scabies or located upon premises under quarantine for sheep scabies and providing manner of such disinfection, and fixing penalties for violation thereof; providing for disinfection of premises under quarantine for sheep scabies infection and how the same shall be disinfected and the disinfectant to be used therefor, and providing penalties for failure to so disinfect said premises; providing

where the owners or caretakers of cattle or sheep required to be dipped for infection or exposure fail or refuse to dip cattle or sheep when ordered so to do the commissioners court of the county shall cause said animals to be dipped under the direction and supervision of an authorized inspector of the Live Stock Sanitary Commission, and providing for the payment of expenses out of the general fund of the county and fixing a lien upon the cattle or sheep so dipped in behalf of the county, and providing for foreclosure of such lien; making it unlawful for any person, company or corporation to transport over any public road or railroad or on the lands and premises of another cattle or sheep infected with scabies; prohibiting the importation into this State of sheep except under certain requirements and providing how sheep imported shall be billed and providing penalties for importation of sheep in violation thereof; providing that this act is cumulative of all existing statutes in reference to the quarantine of cattle and sheep or premises for the eradication of cattle and sheep scabies; providing that this act shall be liberally construed and if any section be declared invalid the remaining parts of the law shall not be affected thereby; repealing Title 136 of the Revised Civil Statutes of 1911 and all laws or parts of laws in conflict with this act, and declaring an emergency."

The bill was read second time.

Mr. Harris offered the following amendment to the bill:

Amend Senate bill No. 134 by exempting Hill county from the provisions of this act.

The amendment was adopted.

Mr. Simpson offered the following amendment to the bill:

Amend Senate bill No. 134 by exempting Smith, Gregg, Upshur, Camp and Milam counties from the provisions of this act.

The amendment was adopted.

Senate bill No. 134 was then passed to third reading.

#### SENATE BILL NO. 134 ON THIRD READING.

Mr. Jones moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 134 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—95.

Abney.	Lane.
Amsler.	LeMaster.
Arnold.	McBride.
Atkinson.	McDaniel.
Avis.	McDonald.
Baker of Milam.	McFarlane.
Baker of Orange.	McKean.
Baldwin.	McNatt.
Barker.	Martin.
Barrett.	Mathes.
Beasley.	Maxwell.
Bell.	Moore.
Bryant.	Morgan
Burmeister.	of Robertson.
Cable.	Pate.
Carpenter	Patman.
of Dallas.	Patterson.
Carpenter	Perdue.
of Matagorda.	Pinkston.
Carson.	Pool.
Carter of Hays.	Pope.
Chitwood.	Price.
Covey.	Purl.
Crawford.	Quaid.
DeBerry.	Quinn.
Dielmann.	Rice.
Dinkle.	Robinson.
Dodd.	Rountree.
Driggers.	Russell
Duffey.	of Callahan.
Dunlap.	Russell of Trinity.
Dunn.	Sackett.
Durham.	Sanford.
Edwards.	Satterwhite.
Fields.	Shearer.
Finlay.	Simpson.
Green.	Smith.
Greer.	Sparkman.
Hardin of Erath.	Stewart
Harrington.	of Edwards.
Harris.	Stewart of Reeves.
Henderson	Stiernberg.
of Marion.	Storey.
Hendricks.	Sweet.
Houston.	Teer.
Hughes.	Thrasher.
Hull.	Turner.
Jacks.	Wilmons.
Jones.	Wilson.
Lackey.	Young.
Lamb.	

Nays—12.

Davis.	Morgan
Downs.	of Liberty.
Howeth.	Rogers.
Laird.	Stell.
Looney.	Stevens.
Merritt.	Stewart of Jasper.
	Wessels.

Absent.

Bird.	Brady.
Blount.	Coffee.
Bonham.	Collins.

Cowen.	Lewis.
Culp.	Loftin.
Davenport.	Melson.
Faubion.	Miller.
Fugler.	Montgomery.
Gipson.	Potter.
Hardin	Shires.
of Kaufman.	Stroder.
Henderson	Thompson.
of McLennan.	Vaughan.
Irwin.	Wallace.
Jennings.	Wells.
Johnson.	Westbrook.
Kemble.	Winfree.
LeSturgeon.	

Absent—Excused.

Bobbitt.	Merriman.
Carter of Coke.	Rowland.
Frnkas	Strickland.
Lusk.	Williamson.

The Speaker then laid Senate bill No. 134 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—100.

Mr. Speaker.	Green.
Abney.	Greer.
Amsler.	Hardin of Erath.
Arnold.	Harrington.
Atkinson.	Harris.
Avis.	Henderson
Baker of Milam.	of Marion.
Baker of Orange.	Hendricks.
Baldwin.	Hughes.
Barker.	Hull.
Barrett.	Irwin.
Beasley.	Jacks.
Bird.	Jennings.
Bryant.	Jones.
Burmeister.	Lackey.
Cable.	Lamb.
Carpenter	Lane.
of Dallas.	LeMaster.
Carpenter	LeSturgeon.
of Matagorda.	McBride.
Carson.	McDaniel.
Carter of Hays.	McDonald.
Chitwood.	McFarlane.
Covey.	McKean.
Crawford.	McNatt.
DeBerry.	Martin.
Dielmann.	Mathes.
Dinkle.	Maxwell.
Dodd.	Moore.
Driggers.	Morgan
Duffey.	of Robertson.
Dunlap.	Pate.
Dunn.	Patman.
Durham.	Patterson.
Edwards.	Perdue.
Fields.	Pinkston.
Finlay.	Pool.

Pope.	Sparkman.
Price.	Stell.
Purl.	Stewart
Quaid.	of Edwards.
Quinn.	Stewart of Reeves.
Rice.	Stiernberg.
Robinson.	Storey.
Rountree.	Sweet.
Russell	Teer.
of Callahan.	Thompson.
Russell of Trinity.	Thrasher.
Sackett.	Turner.
Sanford.	Westbrook.
Satterwhite.	Wilman.
Shearer.	Wilson.
Simpson.	Young.

Nays—8.

Davis.	Morgan
Downs.	of Liberty.
Laird.	Rogers.
Looney.	Stewart of Jasper.
	Wessels.

Absent.

Bell.	Johnson.
Blount.	Kemble.
Bonham.	Lewis.
Brady.	Loftin.
Coffee.	Melson.
Collins.	Merritt.
Cowen.	Miller.
Culp.	Montgomery.
Davenport.	Potter.
Faubion.	Shires.
Fugler.	Smith.
Gipson.	Stevens.
Hardin	Stroder.
of Kaufman.	Vaughan.
Henderson	Wallace.
of McLennan.	Wells.
Houston.	Winfree.
Howeth.	

Absent—Excused.

Bobbitt.	Merriman.
Carter of Coke.	Rowland.
Frnka.	Strickland.
Lusk.	Williamson.

Mr. Jones moved to reconsider the vote by which the bill was passed, and to table the motion to reconsider.

The motion to table prevailed.

#### SENATE BILL NO. 142 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 142, A bill to be entitled "An Act to amend Article 7137 of the Revised Statutes of Texas, relating to constables, providing for their election and terms of office and for the appointment of two deputies in justice precincts

of eight thousand inhabitants or more, and for the appointment of five deputies in justice precincts where there is a city in said precinct of one hundred thousand inhabitants or more, and declaring an emergency."

The bill was read second time and was passed to third reading.

# SENATE BILL NO. 142 ON THIRD READING.

Mr. Irwin moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 142 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—107.

Mr. Speaker.	Henderson
Abney.	of McLennan.
Amsler.	Hendricks.
Arnold.	Houston.
Atkinson.	Howeth.
Avis.	Hughes.
Baker of Milam.	Hull.
Baker of Orange.	Irwin.
Baldwin.	Jacks.
Barker.	Jones.
Barrett.	Lackey.
Beasley.	Laird.
Bell.	Lamb.
Bird.	Lane.
Brady.	LeMaster.
Bryant.	McBride.
Burmeister.	McDaniel.
Cable.	McFarlane.
Carpenter	McNatt.
of Matagorda.	Martin.
Carter of Hays.	Mathes.
Chitwood.	Maxwell.
Covey.	Melson.
Crawford.	Merritt.
Davenport.	Moore.
Davis.	Morgan
DeBerry.	of Liberty.
Dielmann.	Morgan
Dinkle.	of Robertson.
Dodd.	Pate.
Driggers.	Patman.
Duffey.	Patterson.
Dunn.	Perdue.
Durham.	Pinkston.
Edwards.	Pope.
Faubion.	Purl.
Fields.	Quaid.
Finlay.	Quinn.
Fugler.	Rice.
Green.	Robinson.
Greer.	Rogers.
Hardin of Erath.	Rountree.
Harrington.	Russell
Harris.	of Callahan.
Henderson	Russell of Trinity.
of Marion.	Sackett.

Sanford.	Stroder.
Satterwhite.	Sweet.
Shearer.	Teer.
Simpson.	Thompson.
Smith.	Thrasher.
Sparkman.	Turner.
Stell.	Wells.
Stewart	Westbrook.
of Edwards.	Wilmans.
Stiernberg.	Winfree.
Storey.	Young.

Nays—1.

Looney.

Absent.

Blount.	Lewis.
Bonham.	Loftin.
Carpenter	McDonald.
of Dallas.	McKean.
Carson.	Miller.
Coffee.	Montgomery.
Collins.	Pool.
Cowen.	Potter.
Culp.	Price.
Downs.	Shires.
Dunlap.	Stevens.
Gipson.	Stewart of Jasper.
Hardin	Stewart of Reeves.
of Kaufman.	Vaughan.
Jennings.	Wallace.
Kemble.	Wessels.
LeSturgeon.	Wilson.

Absent—Excused.

Bobbitt.	Merriman.
Carter of Coke.	Rowland.
Frnka.	Strickland.
Johnson.	Williamson.
Lusk.	

The Speaker then laid Senate bill No. 142 before the House on its third reading and final passage.

The bill was read third time.

Mr. Irwin offered the following (committee) amendments to the bill:

(1)

Amend Senate bill No. 142 by adding after the word "deputies," last word in Section 1, the following: "Provided, such constable shall first make written application to the county commissioners court of his county, showing the necessity therefor, giving the name of each proposed appointee, for the approval and confirmation of said court."

(2)

Amend Senate bill No. 142, Section 1, by striking out the words "one hundred thousand" and insert in lieu thereof the words "forty thousand."

(3)

Amend caption of Senate bill No. 142

by striking out the words and figures "one hundred thousand (100,000)" and insert in lieu thereof the words and figures "forty thousand (40,000)."

The amendments were severally adopted.

Senate bill No. 142 was then passed by the following vote:

Yeas—104.

Mr. Speaker.	LeSturgeon.
Abney.	Lewis.
Amsler.	McBride.
Arnold.	McDaniel.
Atkinson.	McDonald.
Avis.	McFarlane.
Baker of Milam.	McNatt.
Baldwin.	Martin.
Barker.	Mathes.
Beasley.	Maxwell.
Bell.	Merritt.
Bird.	Miller.
Bonham.	Moore.
Brady.	Morgan
Bryant.	of Robertson.
Burmeister.	Pate.
Cable.	Patman.
Carpenter	Patterson.
of Dallas.	Perdue.
Carpenter	Pinkston.
of Matagorda.	Pope.
Carter of Hays.	Price.
Chitwood.	Purl.
Collins.	Quaid.
Crawford.	Rice.
Culp.	Robinson.
Davis.	Rogers.
DeBerry.	Rountree.
Dielmann.	Russell
Dodd.	of Callahan.
Downs.	Russell of Trinity.
Driggers.	Sackett.
Duffey.	Sanford.
Durham.	Satterwhite.
Faubion.	Shearer.
Fields.	Simpson.
Green.	Smith.
Greer.	Sparkman.
Hardin of Erath.	Stell.
Henderson	Stevens.
of Marion.	Stewart
Henderson	of Edwards.
of McLennan.	Stewart of Jasper.
Hendricks.	Stewart of Reeves.
Houston.	Stiernberg.
Howeth.	Storey.
Hull.	Stroder.
Irwin.	Teer.
Jacks.	Thompson.
Jennings.	Thrasher.
Jones.	Turner.
Laird.	Wilmans.
Lamb.	Wilson.
Lane.	Young.
LeMaster.	

Nays—2.

Looney.

Wessels.

Present—Not Voting.

Harris.

Absent.

Baker of Orange.	Kemble.
Barrett.	Lackey.
Blount.	Loftin.
Carson.	McKean.
Coffee.	Melson.
Covey.	Montgomery.
Cowen.	Morgan
Davenport.	of Liberty.
Dinkle.	Pool.
Dunlap.	Potter.
Dunn.	Quinn.
Edwards.	Shires.
Finlay.	Sweet.
Fugler.	Vaughan.
Gipson.	Wallace.
Hardin	Wells.
of Kaufman.	Westbrook.
Harrington.	Williamson.
Hughes.	Winfree.

Absent—Excused.

Bobbitt.	Lusk.
Carter of Coke.	Merriman.
Frnka.	Rowland.
Johnson.	Strickland.

#### SENATE BILL NO. 149 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 149, A bill to be entitled "An Act to amend Article 3896 and Article 3901, of Title 58, Chapter 4, of the Revised Civil Statutes of Texas, 1911, relative to the meaning and beginning of a fiscal year, such year beginning on January first of each year, and requiring each officer named in Articles 3881 to 3886, and also the sheriffs, to file reports and make the settlement required in this chapter on January first of each year, and further requiring of such officers on or before the second Mondays in March, June, September and December of each year to make reports in writing and under oath to the commissioners court of their respective counties of all moneys and fees coming to their hands as such officers, and the name of the person entitled thereto, and requiring such report to be filed with the county clerk, and by him kept and preserved for future reference and examination, and declaring an emergency."

The bill was read second time and was passed to third reading



**SENATE BILL NO. 121 ON SECOND READING.**

Mr. Jacks called up for consideration at this time, on its second reading and passage to third reading, Senate bill No. 121.

The bill having been read second time and laid on the table subject to call.

Senate bill No. 121 was then passed to third reading.

**RELATIVE TO VOTE ON SENATE BILL NO. 8.**

Mr. Baker of Milam moved to reconsider the vote by which Senate bill No. 8 was passed to third reading.

Mr. Fields moved to table the motion to reconsider.

The motion to table was lost.

Question then recurring on the motion to reconsider, it was lost.

**HOUSE BILL ON FIRST READING.**

The following House bill, introduced today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

By Mr. Pope:

H. B. No. 693, A bill to be entitled "An Act to amend Section 1 of Chapter 7, being House bill No. 96, passed by the Regular Session of the Thirty-third Legislature of the State of Texas, and entitled 'An Act creating an independent school district to be known as 'Calallen Independent School District, and to provide,' etc.; and also to amend Section 1, Chapter 22, being House bill No. 35, passed at the First Called Session of the Thirty-second Legislature of the State of Texas and entitled 'An Act to create the Robstown Independent School District,' etc.; prorating the indebtedness against the Calallen Independent School District, providing that the entire Robstown Independent School District may, by an election held for that purpose, assume and become liable for the amount of indebtedness prorated against that portion of said Robstown Independent School District by this act attached thereto formerly belonging to the Calallen Independent School District, and declaring an emergency."

Referred to Committee on School Districts.

**SENATE BILLS ON FIRST READING.**

The following Senate bills were laid before the House, read severally first

time, and referred to the appropriate committees, as follows:

Senate bill No. 339, to the Judiciary Committee.

Senate bill No. 257, to the Committee on Education.

**BILLS SIGNED BY THE SPEAKER.**

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills:

S. B. No. 411, "An Act taking certain property from Common School District No. 49 of Grayson county, commonly known as Jernigan School District, and attaching the same to and making it a part of Common School District No. 50 of Grayson county, commonly known as Pink Hill School District; providing that the county board of school trustees shall have the same authority with respect to this property as though the same had been added to such Common School District No. 50 by a lawful act of the said trustees; and providing for an election to adjust the property thus added to said district as to taxes which may be now levied upon said Common School District No. 50 for local maintenance purposes, and for an assumption by said Common School District No. 50 of pro rata of bonds issued by, and the pro rata taxes assessable against said added property on account of an outstanding bond issue existing against said Common School District No. 49, and declaring an emergency."

S. B. No. 423, "An Act amending Chapter 19, Local and Special Laws of the First Called Session of the Thirty-seventh Legislature of the State of Texas, creating the Canton Independent School District in Van Zandt county, Texas; defining its boundaries; providing for an extension thereof, including the present Canton Independent School District; providing for a board of trustees in said district; conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the general laws of Texas upon independent school districts and the boards of trustees thereof; providing that the present board of trustees continue in office until the expiration of their respective terms; providing that the outstanding bonded indebtedness of each school district included within the bounds of said district shall remain chargeable against the territory which

voted the same; providing that the district as herein created may assume such outstanding bonded indebtedness; providing for the repeal of all laws in conflict herewith, and declaring an emergency."

S. B. No. 63, "An Act to amend Articles 3864, 3866 and 3898 of the Revised Civil Statutes of the State of Texas of 1911, providing for the fees of sheriffs in civil suits, and providing the ex-officio salary of sheriffs, and providing that officers in counties of less than twenty-five thousand inhabitants shall not be required to keep statements and make reports as provided in Articles 3894 and 3895 of the Revised Statutes of the State of Texas of 1911; and to amend Articles 1122, 1130 and 1175 of the Code of Criminal Procedure of the State of Texas, 1911, to provide that sheriffs and other peace officers shall receive four dollars per day for attending a prisoner on habeas corpus hearing; and to amend Article 1142 of the Code of Criminal Procedure of the State of Texas of 1911 so as to define the compensation to be paid sheriffs for the safe keeping, maintenance and support of prisoners, and declaring an emergency."

S. B. No. 362, "An Act to create the Desdemona Independent School District in Eastland and Erath counties, Texas, including the present Desdemona Independent School District of Eastland county; providing a board of trustees therefor; vesting said independent school district with all of the rights, powers, privileges and duties conferred upon independent school districts incorporated under the general laws of Texas; providing the board of trustees of the present Desdemona Independent School District shall continue to act as such until their successors are elected as provided herein; providing for the assumption of any outstanding indebtedness created by the present Desdemona Independent School District, and declaring an emergency."

S. B. No. 152, "An Act to create and establish a court of record in Bowie county, Texas, and known as the Texarkana Court at Law, and limit the jurisdiction and powers of said court; to conform the jurisdiction of the district and inferior courts thereto; to provide for the appointment, election and qualification of a judge and a clerk of said court, and fix their compensation and tenure of office, and define their duties and powers, and to repeal all laws in

conflict herewith, and declaring an emergency."

S. B. No. 181, "An Act to amend Article 3362 of the Revised Civil Statutes of the State of Texas, relating to independent executors, their powers, and so forth."

S. B. No. 141, "An Act regulating the practice of medicine; amending certain articles and adding new articles to Title 90, Chapter 1 of the Civil Statutes of Texas; amending certain articles and adding new articles to Title 12, Chapter 6 of the Penal Code of the State of Texas, as follows: By amending Article 5737 of the Civil Statutes, prescribing certain duties of district clerks relating to license to practice medicine; making it the duty of county health officers to keep informed as to the death and removal of physicians from the county of their residence and report such deaths and removals to district clerks; and making it the duty of the secretary of the State Board of Medical Examiners, upon notice of the cancellation of the license of any physician, to certify the fact to district clerks; by amending Article 5739 of the Civil Statutes so as to leave it optional with the Board of Medical Examiners the time when, the subjects in which, and the fee for which an applicant who has failed to pass examination may take a subsequent examination; by amending Article 5741 of said Civil Statutes authorizing the State Board of Medical Examiners at its discretion to conduct examinations in two parts, and prescribing the fee to be paid by the applicant for each examination; by amending Chapter 129, Acts of the Regular Session of the Thirty-sixth Legislature, approved March 24, 1919, to be known hereafter as Article 5744a of said Civil Statutes, giving authority to and making it the duty of any practitioner of medicine for reasons enumerated, and prescribing the procedure to be followed in such cases by adding a new article to said Civil Statutes, to be numbered Article 5744b, to prevent by means of writ of injunction, at the suit of the State, the State Board of Medical Examiners, or any citizen of the county of the defendant's residence, the actual, threatened or contemplated practice of medicine in violation of the law; by amending Article 750 of the Penal Code, making it unlawful for any person to practice medicine without first taking the oath prescribed by law and having his license registered by the district clerk

of the county where he is located, or into which he may remove; by adding a new article to Chapter 6, Title 12 of the Penal Code of the State of Texas, to be Article 750a, making it unlawful for any person to practice medicine after his license has been canceled by the State Board of Medical Examiners, or by any court of competent jurisdiction, and providing as a punishment therefor confinement in the penitentiary and disqualification thereafter to be licensed to practice medicine; by amending Chapter 6 of Title 12 of the Penal Code by adding a new article to be numbered Article 756a, making it the crime of false swearing, a felony, for any applicant for license to practice medicine to make a false oath in his application to the Board of Medical Examiners, or to make a false oath before the district clerk to secure registration of his license; providing that if any section or part of a section, provision, penalty, right, or remedy contained in this act shall be held unconstitutional, invalid or inoperative, it shall not affect the remaining sections, parts of sections, provisions, rights or remedies prescribed by this act; repealing all laws in conflict herewith, and declaring an emergency."

S. B. No. 402, "An Act creating and incorporating the Houston Independent School District, and defining its boundaries; providing that said act shall automatically extend to all territory which may hereafter be included in the new city limits by an extension thereof, and providing how the territory adjacent to said district may become part of said district; authorizing and providing the manner of selection of trustees, and describing their qualifications and terms of office, and organizing the board of education of the Houston Independent School District, and continuing the present school board until the organization of the board of education; and providing for an election to determine whether the board shall remain appointive, as herein required, or shall become elective; prescribing the time and method of holding said election and how the trustees shall be elected thereafter if it is determined by said election that the board shall become elective; validating the appointment of and all official acts done by the present school board; prescribing the oath of affirmation of said trustees; providing for the election of officers of said board, and the meetings, records and conduct of the business thereof; giving said independent school district,

through its said board, the power to manage and control, maintain and operate public free schools within said district, and to prescribe qualifications of, and issue certificates to, teachers; to recognize and validate teachers' certificates and diplomas; to make rules and regulations for the government and conduct of said schools, and for the protection of those attending said schools; to prescribe age limits of pupils, and to enforce their attendance; to employ attendance officers, and to fix their compensation; to take over and hold in trust for public school property and equipment, and to purchase and lease grounds upon which to erect school buildings and playgrounds; to construct, equip and maintain such buildings; to provide for the establishment of schools for the teaching of special subjects, and to prescribe the course of study; to provide all necessary articles for the efficient instruction of the pupils and operation and maintenance of schools; giving said district through the board of education the power to make contracts, to be a party to actions in courts, without giving bond, either original or on appeal; exempting said district from the levy of executions, attachments and garnishments, and from liability for assignments of wages, and exempting it from liability for damages for personal injuries or damages to property; and exempting said district and its property from involuntary liens; authorizing it to receive gifts, grants, conveyances, donations and devises for the use of the public free schools of said independent school district; authorizing it to select a depository upon sealed competitive bids, and prescribing and regulating the conduct of such depository, and requiring bond, and forbidding the making of contracts and the making of purchases in excess of \$1000 except upon competitive bids; giving it the power to levy and collect taxes; to issue and dispose of bonds, and providing for the payment of same, and validating all school bonds and school refunding bonds heretofore issued by the city of Houston as an independent school district, as well as by the proper authorities of Harris County Independent School District No. 25; and validating, confirming and approving all official acts of the board of trustees of the school board of said city, as well as of the trustees of Harris County Independent School District No. 25, and as well as the present school board; conferring upon said district the power of eminent

domain, and the power to sell, exchange and lease the property thereof; to order elections within said district for the issuance of bonds and for the levy of taxes; and providing for the assumption against the city of Houston of all outstanding school bonds and school refunding bonds, and of all outstanding bonds of a like kind issued by Harris County Independent School District No. 25, and providing for the payment of interest and the creation of a sinking fund for the liquidation of said bonds, as well as any other bonds which may hereafter be voted; to adopt textbooks; to take the school census; for the removal from office of any member of said board; giving certain officers of said board authority to administer oaths; and providing for a corporate seal, and giving said district, through its board of education, power to manage and control public free schools within said district and to do all things authorized by this act; repealing Section 14, Chapter 17, of the Local and Special Laws of the Twenty-ninth Legislature, passed at the Regular and First Called Session thereof, incorporating the city of Houston into an independent school district, said act having been approved March 18, 1905, and also repealing all special and general laws in conflict with the provisions of this act, and declaring an emergency."

S. B. No. 104, "An Act providing that State banks, or State bank and trust companies, organized under the general laws of the State of Texas, desiring to convert to any other system of banking, shall give notice to the public by advertisement in a newspaper of such change; providing also that such bank or trust company shall notify the Banking Commissioner of Texas, in writing, of such change not less than thirty days before such conversion shall be made, providing that no funds shall have been deposited in a State bank and trust company in this State shall be protected by the guaranty fund of this State or by the bond security law of this State, after such corporation shall have been converted to some other system of banking; prohibiting a State bank or State bank and trust company organized and doing business under the general laws of the State of Texas from investing more than fifty per cent of its capital stock and surplus in its banking house, nor more than fifteen per cent of its capital stock and surplus in furniture and fixtures to be contained in its banking house without first obtaining

the written permission of the State Banking Board of the State of Texas; prohibiting officers of State bank and trust companies organized under the general laws of the State of Texas from engaging in fraudulent or speculative business enterprises calculated to bring discredit upon such bank and trust company; giving the Banking Commissioner of Texas power to remove officers guilty of such practices and to enforce his order of removal by closing and liquidating any bank or bank and trust company so offending; prohibiting State banks or State bank and trust companies organized under Title 14, Vernon Sayles' Revised Statutes of the State of Texas, 1914, and amendments thereto from issuing non-interest bearing certificates of deposits, shall not be protected by the guaranty fund law or the bond security plan of the State banks of Texas; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

H. B. No. 168, "An Act amending Section 23 of an act passed at the First Called Session of the Thirty-fifth Legislature of the State of Texas, entitled 'An Act to create a permanent textbook commission for the State of Texas to be styled "The Texas State Textbook Commission"; defining its membership and appointment,' etc.; being Senate bill No. 16, Chapter 44, of said Acts of the First Called Session of the Thirty-fifth Legislature, and to repeal all laws in conflict herewith, and declaring an emergency."

S. B. No. 281, "An Act releasing the inhabitants of and the property in Hidalgo county for a period of twenty-five years from the payment of taxes levied for State purposes because of great public calamities in said county, as provided in Section 10 of Article 8 of the State Constitution, and providing that said county shall vote bonds of said county to prevent the recurrence of such calamities, and in case of the failure of said county to vote such bonds by or before October 1, 1924, said act shall become null and void, and said taxes collected in the usual manner and paid into the State Treasury, and declaring an emergency."

S. B. No. 390, "An Act amending Section 2 of Senate bill No. 25, Chapter 1 of the Special Laws of the State of Texas, passed at the First Called Session of the Thirty-seventh Legislature in 1921, and providing for that portion of land hereby segregated from the Bowie

Independent School District to bear its proportionate part of any bonded indebtedness now chargeable against that portion of the district hereby segregated, and adding Section 2a and Section 2b."

#### MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, March 8, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has concurred in House amendments to Senate bill No. 107.

The Senate has refused to concur in House amendments to Senate bill No. 40 and requests the appointment of a Free Conference Committee to adjust the differences.

The following are appointed on the committee in behalf of the Senate: Senators Bledsoe, Dawson and Floyd.

The Senate has passed

H. B. No. 361, A bill to be entitled "An Act to amend Chapter 190 of the General Laws of the Regular Session of the Thirty-fifth Legislature, as amended by Chapter 71 of the General Laws of the Fourth Called Session of the Thirty-fifth Legislature, as amended by Chapter 113 of the General Laws of the Regular Session of the Thirty-sixth Legislature, as amended by Chapter 131 of the General Laws of the Regular Session of the Thirty-seventh Legislature, as amended by Chapter 52 of the General Laws of the First Called Session of the Thirty-seventh Legislature, by amending Section 16 of said Chapter 190 as amended, and by adding to said Chapter 190 sixteen new sections to be known as Sections 16a, 16b, 16c, 16d, 16e, 16f, 16g, 16h, 16i, 16j, 16k, 16l, 16m, 16n, 16o, 16p, so as to provide for the registration of motor vehicles, tractors, trailers, semi-trailers and motorcycles; requiring applications to be filed for the registering of such vehicles and prescribing the fees that shall be paid for their registration; defining commercial motor vehicles and tractors; prescribing penalties for the operation of a motor vehicle on a public highway not registered in accordance with the provisions of this act; authorizing peace officers to detain certain vehicles not properly registered; prescribing the maximum weights and dimensions of motor vehicles that may be operated on the public highways; providing an additional registration fee for passenger motor vehicles with a seating capacity of more than

seven passengers; prescribing the methods by which the fees provided herein shall be computed; requiring commercial motor vehicles to be equipped with rear-view mirrors and with tires of a prescribed minimum width and thickness; authorizing local authorities in charge of the highways to restrict the use of said highways under certain conditions; providing for the recovery of damages for undue injury of highways, the use of which has been so restricted; amending Section 3, Chapter 73, General Laws of the Fourth Called Session of the Thirty-fifth Legislature, as amended by Section 4, Chapter 113, of the General Laws of the Regular Session of the Thirty-sixth Legislature so as to provide for distribution and apportionment of license fees collected under this act; also authorizing the State Highway Commission, on and after January 1, 1924, to maintain the designated State highways and to pay the expenses of such maintenance out of funds derived under this act in so far as said funds are available for that purpose; requiring the State Highway Commission to publish a full budget and plan of maintenance; to provide for a quarterly pro-ration of the fees prescribed herein; providing that the unconstitutionality of any section of this act shall not affect any other section of the act; providing that the license fees prescribed herein for commercial motor vehicles, tractors, trailers and semi-trailers shall be charged for the registration of such vehicles registered for the remainder of the calendar year 1913 and for subsequent calendar years, and that the license fees prescribed in this act for passenger motor vehicles shall be charged for the registration of all passenger cars for the calendar year 1924 and for subsequent calendar years; prescribing penalties for violation of this act; repealing all laws and parts of laws in conflict herewith, and declaring an emergency," with amendments.

S. B. No. 339, A bill to be entitled "An Act to increase the civil jurisdiction of the county court of Hockley county and the unorganized county of Cochran, and declaring an emergency."

Respectfully,

RICHARD BLALOCK,  
Assistant Secretary of the Senate.

#### RECESS.

Mr. Burmeister moved that the House recess to 1:30 o'clock p. m. today.

Mr. Miller moved that the House recess to 2 o'clock p. m. today.

The motion of Mr. Miller prevailed and the House, accordingly, at 12 o'clock m., took recess to 2 o'clock p. m. today.

#### AFTERNOON SESSION.

The House met at 2 o'clock p. m. and was called to order by the Speaker.

#### ADDRESS BY HON. J. L. PEELER.

Mr. Thrasher offered the following resolution:

Whereas, Hon. J. L. Peeler, former member of this body for six years, is now in the Hall and desires to extend an invitation on behalf of the citizens of Austin; therefore be it

Resolved, That he be invited to address the House.

Signed—Thrasher, Stiernberg, McFarlane.

The resolution was read second time and was adopted.

In accordance with the above action the Speaker announced the appointment of the following committee to escort Col. Peeler to the Speaker's stand:

Messrs. McFarlane, Thrasher and Stiernberg.

The committee having performed their duty, Speaker Seagler introduced Col. Peeler.

Col. Peeler then addressed the House, inviting the members to attend a barbecue to be given at Camp Mabry tomorrow afternoon at 5 o'clock.

On motion of Mr. Satterwhite, the invitation was unanimously accepted.

#### MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, March 8, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 430, A bill to be entitled "An Act authorizing the Fredericksburg Independent School District to sell and convey a certain tract of land situated in the town of Fredericksburg, in Gillespie county, Texas, and declaring an emergency."

And postponed indefinitely House bill No. 151, by the following vote: 17 yeas and 12 nays.

The Senate has refused to concur in House amendments to Senate bill No. 123, and request a free conference com-

mittee to adjust the differences. The following are appointed on the committee in behalf of the Senate: Senators Thomas, Woods, Davis, Pollard and Bowers.

The Senate has granted the request of the House for a free conference committee on House bill No. 622, and the following are appointed on behalf of the Senate: Senators Wood, Lewis, Wirtz, Strong and Stuart.

The Senate has concurred in House amendments to Senate bill No. 197.

Respectfully,

RICHARD BLALOCK,

Assistant Secretary of the Senate.

#### SPECIAL ORDER SET.

On motion of Mr. Greer, Senate bills Nos. 248, 249 and 256 were set as a special order for 7:30 o'clock p. m. today.

#### SENATE BILL NO. 128 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 128, A bill to be entitled "An Act to require all locomotives, engines and boilers operated in or near any forest land or other land adjacent to forest land, and not equipped to use oil for fuel, to be provided with an efficient device to prevent the escape of sparks and fire; providing such fire prevention devices must be maintained in repair; providing a penalty for non-compliance; providing that no person shall wilfully or negligently cause or permit forest or other fires that may damage forest growth, and providing a penalty."

The bill was read second time and was passed to third reading.

#### SENATE BILL NO. 128 ON THIRD READING.

Mr. Burmeister moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 128 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—103.

Mr. Speaker.	Barrett.
Abney.	Beasley.
Amsler.	Bell.
Arnold.	Bird.
Atkinson.	Blount.
Avis.	Bryant.
Baker of Milam.	Burmeister.

Cable.	McDaniel.
Carpenter	McDonald.
of Dallas.	Martin.
Carson.	Maxwell.
Carter of Hays.	Melson.
Chitwood.	Merritt.
Coffee.	Montgomery.
Collins.	Morgan
Crawford.	of Liberty.
Davenport.	Morgan
Davis.	of Robertson.
DeBerry.	Pate.
Dinkle.	Patman.
Dodd.	Patterson.
Downs.	Perdue.
Driggers.	Pinkston.
Duffey.	Pope.
Dunlap.	Potter.
Dunn.	Price.
Durham.	Purl.
Fields.	Quinn.
Finlay.	Rice.
Fugler.	Robinson.
Gipson.	Rogers.
Green.	Russell
Greer.	of Callahan.
Harrington.	Russell of Trinity.
Henderson	Sanford.
of Marion.	Satterwhite.
Hendricks.	Shearer.
Houston.	Simpson.
Howeth.	Sparkman.
Hull.	Stell.
Irwin.	Stevens.
Jacks.	Stewart
Jennings.	of Edwards.
Jones.	Stiernberg.
Kemble.	Storey.
Lackey.	Sweet.
Laird.	Thompson.
Lamb.	Thrasher.
Lane.	Turner.
LeMaster.	Wells.
LeStourgeon.	Wessels.
Lewis.	Wilson.
Loftin.	Winfree.
Looney.	Young.
McBride.	

Nays—1.

Mathes,

Absent.

Baker of Orange.	Hardin
Baldwin.	of Kaufman.
Barker.	Harris.
Bonham.	Henderson
Brady.	of McLennan.
Carpenter	Hughes.
of Matagorda.	McFarlane.
Covey.	McKean.
Cowen.	McNatt.
Culp.	Miller.
Dielmann.	Moore.
Edwards.	Pool.
Faubion.	Quaid.
Hardin of Erath.	Rountree.

Sackett.	Teer.
Shires.	Vaughan.
Smith.	Wallace.
Stewart of Jasper.	Westbrook.
Stewart of Reeves.	Wilmans.
Stroder.	

Absent—Excused.

Bobbitt.	Merriman.
Carter of Coke.	Rowland.
Frnka.	Strickland.
Johnson.	Williamson.
Lusk.	

The Speaker then laid Senate bill No. 128 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—101.

Mr. Speaker.	Irwin.
Abney.	Jacks.
Amsler.	Jennings.
Arnold.	Jones.
Atkinson.	Lackey.
Avis.	Laird.
Baker of Milam.	Lamb.
Baldwin.	Lane.
Barrett.	LeMaster.
Beasley.	LeStourgeon.
Bell.	Lewis.
Bird.	Loftin.
Blount.	McBride.
Bryant.	McDaniel.
Burmeister.	McDonald.
Cable.	McNatt.
Carson.	Martin.
Chitwood.	Mathes.
Coffee.	Maxwell.
Collins.	Melson.
Covey.	Merritt.
Davenport.	Montgomery.
Davis.	Moore.
DeBerry.	Morgan
Dinkle.	of Liberty.
Dodd.	Morgan
Downs.	of Robertson.
Driggers.	Pate.
Duffey.	Patterson.
Dunlap.	Perdue.
Dunn.	Pinkston.
Durham.	Potter.
Edwards.	Purl.
Fields.	Quaid.
Finlay.	Quinn.
Green.	Rice.
Greer.	Robinson.
Hardin of Erath.	Rogers.
Hardin	Rountree.
of Kaufman.	Russell
Henderson	of Callahan.
of Marion.	Russell of Trinity.
Hendricks.	Sackett.
Houston.	Sanford.
Howeth.	Satterwhite.
Hull.	Shearer.

Simpson.	Sweet.
Smith.	Thrasher.
Sparkman.	Turner.
Stewart	Wells.
of Edwards.	Wilson.
Stewart of Reeves.	Winfree.
Stiernberg.	Young.
Storey.	

Nays—1.

Looney.  
Present—Not Voting.

Carter of Hays.

Absent.

Baker of Orange.	Kemble.
Barker.	McFarlane.
Bonham.	McKean.
Brady.	Miller.
Carpenter	Patman.
of Dallas.	Pool.
Carpenter	Pope.
of Matagorda.	Price.
Cowen.	Shires.
Crawford.	Stell.
Culp.	Stevens.
Dielmann.	Stewart of Jasper.
Faubion.	Stroder.
Fugler.	Teer.
Gipson.	Thompson.
Harrington.	Vaughan.
Harris.	Wallace.
Henderson	Westbrook.
of McLennan.	Wessels.
Hughes.	Wilmans.

Absent—Excused.

Bobbitt.	Merriman.
Carter of Coke.	Rowland.
Frnka.	Strickland.
Johnson.	Williamson.
Lusk.	

Mr. Burmeister moved to reconsider the vote by which the bill was passed and to table the motion to reconsider.

The motion to table prevailed.

#### SENATE BILL NO. 132 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 132, A bill to be entitled "An Act to amend Article 1460, Chapter 2, Title 29 of the Revised Civil Statutes of 1911, as amended by Chapter 131, General Laws, passed at the Regular Session of the Thirty-fourth Legislature, and as further amended by Chapter 134, General Laws, passed at the Regular Session of the Thirty-fifth Legislature, relating to the appointment and compensation of county auditors in counties containing a population of forty thousand or over, or having a

taxable valuation of fifteen million dollars or over, and declaring an emergency."

The bill was read second time.

Mr. Wallace offered the following amendment to the bill:

Amend Senate bill No. 132 as follows:

Strike out all of Article 1460 from and after the comma following the word "qualified," down to and including the word "court," and insert in lieu thereof the following: "and who shall receive as compensation for his services an annual salary to be fixed by the county commissioners court, not to be less than eighteen hundred (\$1800) dollars and not to be more than thirty-six hundred (\$3600) dollars, to be paid in monthly installments out of the general funds of the county, upon orders of the commissioners court. In fixing the salary, the commissioners court may take into consideration the population of the county and assessed values thereof, and the amount and nature of the duties and responsibilities of the office in such county. Said salary shall be fixed by said court at the time of the beginning of his term of office and shall not be increased or decreased during said term of office."

Question—Shall the amendment be adopted?

On motion of Mr. Pope, the bill was laid on the table subject to call.

#### SENATE BILL NO. 151 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 151, A bill to be entitled "An Act to amend subdivision 3, of Section 27, of House bill No. 17, passed at the First Called Session of the Thirty-third Legislature, it being also referred to as part of Article 1313p, of the volume known as Complete Texas Statutes of 1920, so as to add a provision that certain building and loan associations chartered by adjacent States may sell stock and conduct business in certain cities in Texas without making the cash deposit or bond required in said subdivision 3."

The bill was read second time and was passed to third reading.

#### SENATE BILL NO. 151 ON THIRD READING.

Mr. Henderson of Marion moved that the constitutional rule requiring bills to



be read on three several days be suspended and that Senate bill No. 151 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—91.

Abney.	McKean.
Amsler.	McNatt.
Arnold.	Martin.
Atkinson.	Maxwell.
Baker of Milam.	Merritt.
Baldwin.	Montgomery.
Barrett.	Moore.
Bell.	Morgan
Bonham.	of Robertson.
Bryant.	Patman.
Burmeister.	Patterson.
Carpenter	Perdue.
of Dallas.	Pinkston.
Chitwood.	Pope.
Coffee.	Potter.
Crawford.	Price.
DeBerry.	Purl.
Dinkle.	Quaid.
Dodd.	Quinn.
Downs.	Rice.
Driggers.	Robinson.
Duffey.	Rogers.
Dunlap.	Rountree.
Dunn.	Russell
Durham.	of Callahan.
Edwards.	Russell of Trinity.
Finlay.	Sackett.
Green.	Sanford.
Greer.	Satterwhite.
Hardin of Erath.	Shearer.
Hardin	Shires.
of Kaufman.	Sparkman.
Henderson	Stell.
of Marion.	Stewart
Hendricks.	of Edwards.
Houston.	Stewart of Jasper.
Hughes.	Stewart of Reeves.
Hull.	Stiernberg.
Irwin.	Storey.
Jones.	Sweet.
Lackey.	Thompson.
Lamb.	Thrasher.
Lane.	Turner.
LeMaster.	Wallace.
Loftin.	Wells.
McBride.	Westbrook.
McDaniel.	Winfree.
McDonald.	Young.
McFarlane.	

## Nays—11.

Carson.	Looney.
Culp.	Mathes.
Dielmann.	Stevens.
Gipson.	Wessels.
Harrington.	Wilson.
Howeth.	

Present—Not Voting.

Bird. Carter of Hays.

Simpson.  
Fields.

LeSturgeon.

Absent.

Avis.	Jacks.
Baker of Orange.	Jennings.
Barker.	Kemble.
Beasley.	Laird.
Blount.	Lewis.
Brady.	Melson.
Cable.	Miller.
Carpenter	Morgan
of Matagorda.	of Liberty.
Collins.	Pate.
Covey.	Pool.
Cowen.	Smith.
Davenport.	Stroder.
Davis.	Teer.
Faubion.	Vaughan.
Fugler.	Wilmons.
Harris.	
Henderson	
of McLennan.	

Absent—Excused.

Bobbitt.	Merriman.
Carter of Coke.	Rowland.
Frnka.	Strickland.
Johnson.	Williamson.
Lusk.	

The Speaker then laid Senate bill No. 151 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—90.

Abney.	Edwards.
Amsler.	Fields.
Arnold.	Finlay.
Baldwin.	Fugler.
Barrett.	Gipson.
Beasley.	Green.
Bell.	Greer.
Bonham.	Hardin
Brady.	of Kaufman.
Bryant.	Henderson
Burmeister.	of Marion.
Cable.	Hendricks.
Carpenter	Houston.
of Dallas.	Hughes.
Carpenter	Irwin.
of Matagorda.	Jennings.
Carson.	Jones.
Chitwood.	Lackey.
Crawford.	Laird.
Culp.	Lamb.
DeBerry.	Lane.
Dinkle.	LeMaster.
Dodd.	LeSturgeon.
Downs.	Loftin.
Driggers.	McDaniel.
Duffey.	McDonald.
Dunn.	McFarlane.
Durham.	McNatt.

Martin.	Russell
Mathes.	of Callahan.
Maxwell.	Russell of Trinity.
Merritt.	Sackett.
Miller.	Sanford.
Moore.	Satterwhite.
Morgan	Shearer.
of Robertson.	Shires.
Patman.	Smith.
Perdue.	Sparkman.
Pinkston.	Stell.
Pope.	Stewart of Jasper.
Potter.	Stewart of Reeves.
Price.	Sweet.
Quaid.	Teer.
Quinn.	Thompson.
Rice.	Thrasher.
Robinson.	Wallace.
Rogers.	Wilson.
Rountree.	Winfree.

## Nays—13.

Atkinson.	Kemble.
Baker of Milam.	Looney.
Cowen.	McBride.
Davis.	Stevens.
Hardin of Erath.	Wessels.
Harrington.	Young.
Howeth.	

## Present—Not Voting.

Bird.	Purl.
Blount.	Simpson.
Carter of Hays.	Stiernberg.
Dielmann.	Storey.
Jacks.	Westbrook.
McKean.	

## Absent.

Avis.	Melson.
Baker of Orange.	Montgomery.
Barker.	Morgan
Coffee.	of Liberty.
Collins.	Pate.
Covey.	Patterson.
Davenport.	Pool.
Dunlap.	Stewart
Faubion.	of Edwards.
Harris.	Stroder.
Henderson	Turner.
of McLennan.	Vaughan.
Hull.	Wells.
Lewis.	Wilmons.

## Absent—Excused.

Bobbitt.	Merriman.
Carter of Coke.	Rowland.
Frnka.	Strickland.
Johnson.	Williamson.
Lusk.	

## BILLS SIGNED BY THE SPEAKER.

The Speaker signed in the presence of the House, after giving due notice thereof and their captions had been

read severally, the following enrolled bills:

H. B. No. 449, "An Act to amend an act of the Thirty-first Legislature, First Called Session, Chapter 5, Special Laws, entitled 'An Act creating an independent school district to be known as the Goliad Independent School District, including within its limits the unincorporated town of Goliad county, and to provide for a board of trustees and other officers of such district; to authorize the board of trustees to levy, assess and collect special taxes, and to issue and dispose of bonds of such district for the purpose of purchasing school sites, and erecting, repairing, furnishing and equipping school buildings within the same, and to pay current expenses in the maintenance and support of the public schools therein, and to further prescribe the duties and authority of said board of trustees, and declaring an emergency,' and by this amended act to provide for the assumption by the Goliad Independent School District, as hereby created, of all outstanding indebtedness now existing against same, and to provide for the payment of the outstanding indebtedness against Common School District No. 2, Goliad county, and declaring an emergency; said act to be so amended as to hereafter read as follows."

H. C. R. No. 25, Providing for adjournment sine die.

H. B. No. 588, "An Act amending Sections 1 and 5 of Chapter 31 of the Local and Special Laws of the State of Texas, passed by the Thirty-sixth Legislature at its Second Called Session, entitled 'An Act amending and revising the metes and bounds of the Raymondville Independent School District (formerly in Cameron county but now in Willacy county);' providing that all jurisdiction shall attach to officers of Willacy county instead of Cameron county."

H. B. No. 540, "An Act to fix the salaries of the judge of the county court of Dallas County at Law No. 1 and of the judge of the county court of Dallas County at Law No. 2, and prescribing the method of payment."

H. B. No. 519, "An Act validating Consolidated Common School District No. 1 of Castro county, Texas, and validating an issue of bonds heretofore voted by said district, and declaring an emergency."

H. B. No. 563, "An Act creating the Pflugerville Independent School District

in Travis and Williamson counties, Texas."

# SENATE BILL NO. 155 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 155, A bill to be entitled "An Act to amend Sections 2 and 3 of Chapter 190 of the Acts of 1917 and adding Section 3a, increasing the terms of office for the members of the Board of Highway Commission from two to six years so that one term of office will expire each two years, and providing compensation of \$2500 per year for members of said commission."

The bill was read second time.

Mr. Pope offered the following amendment to the bill:

Amend Senate bill No. 155 by striking out all of Section 3a and insert in lieu thereof a new Section 3a, as follows:

"Sec. 3a. The members of the commission shall be allowed such compensation as may be fixed by the Legislature in its departmental appropriation bill, not to exceed \$2500 annually, which compensation shall be paid from the funds provided for by this act."

Mr. Moore offered the following substitute for the amendment:

Strike out all after the word "receive," line 20 in Section 3a, and insert the following: "The sum of \$15 per day for each day actually serving as such commissioner for not more than 175 days each year, and such compensation per day and such expenses shall be paid from the funds provided for by this act."

Mr. Fields moved the previous question on the pending amendment and the bill, and the main question was ordered.

Mr. Beasley moved to reconsider the vote by which the previous question was ordered.

The motion to reconsider was lost.

Question then recurring on the substitute by Mr. Moore, it was lost.

Question then recurring on the amendment by Mr. Pope, it was lost.

Senate bill No. 155 then failed to pass to third reading.

# CONFERENCE COMMITTEE ON SENATE BILL NO. 100.

Mr. Wallace called up from the Speaker's table, for consideration at this time, the request of the Senate for a free conference committee on Senate bill No. 100.

The Speaker laid the request of the Senate before the House.

Question — Shall the request be granted?

Mr. Wallace moved that the request be granted.

The motion prevailed.

# BILL RECOMMITTED.

On motion of Mr. Baldwin, Senate bill No. 175 was recommitted to the Committee on State Affairs.

# RELATING TO HOUSE AMENDMENT TO SENATE BILL NO. 123.

Mr. Bell called up from the Speaker's table, for consideration at this time, the request of the Senate for a free conference committee on Senate bill No. 123.

The Speaker laid the request of the Senate before the House.

Question — Shall the request be granted?

Mr. Bell moved that the request be granted.

Mr. Pope moved as a substitute that the House refuse to grant the request of the Senate.

Question first recurring on the substitute by Mr. Pope, it prevailed.

# HOUSE BILL NO. 615 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 615, A bill to be entitled "An Act creating five criminal district courts and judges to relieve congested conditions of dockets in courts having general jurisdiction of district courts or part thereof; creating the 101st, 102nd, 103rd, 104th and 105th judicial districts and defining their territory; creating a criminal district court in each of such districts and providing for a judge for each of such courts; vesting in such courts concurrent criminal jurisdiction with district courts under the Constitution and general laws; prescribing the power, authority and jurisdiction of the judges thereof; providing for the appointment, election, qualification and compensation of said judges; providing for criminal district attorneys and for stenographers in said districts and their qualifications, term and compensation; vesting said courts with jurisdiction and authority to convene said courts in any county in the district in order to carry out the pur-

poses of the act and vesting said court and judges with the necessary power, authority and jurisdiction; providing for the necessary transfer of criminal cases, matters and proceedings; providing for notice of the terms of courts; vesting in such courts and judges all the necessary power and authority to issue the necessary writs and processes and do all things necessary and incidental to their functions and jurisdiction; making provision for the necessary officers, agents and employes; making the necessary provisions incidental to accomplish the purpose of the act; providing that if any portion of the act is held invalid the remainder shall remain in force; providing for appeals and writs of error to the Court of Criminal Appeals; providing for the necessary procedure, practice and rules of evidence in said courts; providing that general laws applicable to district courts and judges shall apply to these courts and judges unless in conflict herewith; providing that the act will cease to have effect after a certain date, and providing for the disposition of cases, proceedings and matters pending, and declaring an emergency."

The bill was read second time.

Mr. Davenport offered the following amendment to the bill:

Amend House bill No. 615, page 2, line 33, by striking out all of the paragraph beginning with the word "there" and through to the end of the section. And by striking out the words "and criminal district attorneys" in line 5, page 3.

Question recurring on the amendment by Mr. Davenport, yeas and nays were demanded.

The amendment was lost by the following vote:

#### Yeas—51.

Abney.	Finlay.
Arnold.	Fugler.
Avis.	Green.
Baker of Milam.	Greer.
Baker of Orange.	Harrington.
Barker.	Henderson
Beasley.	of McLennan.
Brady.	Howeth.
Bryant.	Hull.
Carson.	Jacks.
Coffee.	Jones.
Collins.	Kemble.
Cowen.	LeStourgeon.
Davenport.	Loftin.
Dinkle.	Looney.
Dodd.	McBride.
Durham.	McDaniel.

McFarlane.  
Martin.  
Patman.  
Perdue.  
Pool.  
Price.  
Purl.  
Robinson.  
Russell  
of Callahan.

Shearer.  
Simpson.  
Stell.  
Stevens.  
Storey.  
Stroder.  
Wells.  
Westbrook.  
Wessels.

#### Nays—55.

Mr. Speaker.	Jennings.
Amsler.	Laird.
Atkinson.	Lane.
Baldwin.	LeMaster.
Barrett.	Lewis.
Bell.	McNatt.
Bird.	Mathes.
Bonham.	Maxwell.
Burmeister.	Melson.
Cable.	Moore.
Carpenter	Morgan
of Matagorda.	of Robertson.
Carter of Hays.	Patterson.
Chitwood.	Pinkston.
Covey.	Potter.
Culp.	Quinn.
DeBerry.	Sackett.
Dielmann.	Sanford.
Downs.	Smith.
Driggers.	Sparkman.
Duffey.	Stewart of Jasper.
Dunn.	Stewart of Reeves.
Fields.	Stiernberg.
Gipson.	Sweet.
Henderson	Thrasher.
of Marion.	Wallace.
Hendricks.	Wilson.
Houston.	Winfree.
Hughes.	Young.

#### Present—Not Voting.

Rice.

#### Absent.

Blount.	Montgomery.
Carpenter	Morgan
of Dallas.	of Liberty.
Crawford.	Pate.
Davis.	Pope.
Dunlap.	Quaid.
Edwards.	Rogers.
Faubion.	Rountree.
Hardin of Erath.	Russell of Trinity.
Hardin	Satterwhite.
of Kaufman.	Shires.
Harris.	Stewart
Irwin.	of Edwards.
Lackey.	Teer.
Lamb.	Thompson.
McDonald.	Turner.
McKean.	Vaughan.
Merritt.	Wilman.
Miller.	

#### Absent—Excused.

Bobbitt. Carter of Coke.

Frnka.  
Johnson.  
Lusk.  
Merriman.

Rowland.  
Strickland.  
Williamson.

Mr. Bonham offered the following amendment to the bill:

Amend House bill No. 615, page 5, line 13, by changing the period after the word "created" to a comma and adding the following: "provided that no case shall be removed by said court from the county in which the same originated."

Mr. Baldwin offered the following substitute for the amendment:

Amend House bill No. 615, page 5, Section 9, lines 9 to 13, by striking out all after the word "pending" in line 9, down to and including the word "created" in line 13, and inserting in lieu thereof the following: "provided that nothing in this act shall be construed to authorize changing the venue of any cause contrary to existing laws relating to venue, and nothing herein shall be construed to supersede, amend or repeal any existing law relating to venue in criminal cases."

Question first recurring on the substitute, it was adopted.

Question then recurring on the amendment as substituted, it was adopted.

Mr. Bonham offered the following amendment to the bill:

Amend House bill No. 615, page 4, by striking out lines 2 to the word "any," in line 16, and insert in lieu thereof the following:

"Section 7. The judges of the district courts herein provided for may convene a term or session of said courts in the same manner as special sessions or terms of district courts may now be called by the judges thereof."

The amendment was adopted.

Mr. Hull offered the following amendment to the bill:

Amend House bill No. 615 by adding after the words "district attorney," in line 40, page 2, the following: "provided the term criminal district attorney, as used herein, shall not apply as provided for in Article 349, Title 13, Texas Civil Statutes of 1911, and the election of the criminal district attorney provided for herein shall not affect a county attorney in any of the counties included in his judicial district."

Mr. Davenport moved to table the amendment.

The motion to table was lost.

Question recurring on the amendment, it was adopted.

Mr. Hardin of Kaufman moved to postpone further consideration of the bill indefinitely.

Question—Shall the motion to postpone indefinitely prevail?

Mr. Burmeister raised a point of order on further consideration of the bill at this time, on the ground that the time for the consideration of local bills has arrived.

The Speaker sustained the point of order.

(Mr. Pope in the chair.)

#### SENATE BILL NO. 237 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage, S. B. No. 237, Creating a special road law for Fayette county."

The bill was read third time.

On motion of Mr. Baker of Milam, the bill was laid on the table subject to call.

#### SENATE BILL NO. 364 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 364, A bill to be entitled "An Act to repeal Chapter 74, Special Laws of the Thirty-second Legislature, as amended by Chapter 96, Special Laws of the Thirty-third Legislature, and as further amended by Chapter 80, Special Laws of the Thirty-fourth Legislature, relating to the road system of Leon county, and declaring an emergency."

The bill was read third time and was passed by the following vote:

Yeas—105.

Abney.	Coffee.
Amsler.	Collins.
Arnold.	Covey.
Atkinson.	Cowen.
Avis.	Crawford.
Baker of Milam.	Culp.
Baker of Orange.	Davis.
Baldwin.	DeBerry.
Barrett.	Dielmann.
Beasley.	Dodd.
Bell.	Downs.
Bonham.	Driggers.
Burmeister.	Duffey.
Cable.	Dunlap.
Carpenter	Dunn.
of Matagorda.	Durham.
Carson.	Faubion.
Carter of Hays.	Fields.
Chitwood.	Finlay.

Green.	Pate.
Greer.	Patman.
Harrington.	Patterson.
Henderson	Perdue.
► of Marion.	Pinkston.
Henderson	Pope.
► of McLennan.	Potter.
Hendricks.	Quaid.
Houston.	Rice.
Howeth.	Robinson.
Hughes.	Rogers.
Hull.	Rountree.
Irwin.	Russell of Trinity.
Jacks.	Russell
Jennings.	of Callahan.
Jones.	Satterwhite.
Kemble.	Shearer.
Laird.	Simpson.
Lamb.	Sparkman.
Lane.	Stell.
LeSturgeon.	Stevens.
Lewis.	Stewart.
Loftin.	of Edwards.
McBride.	Stewart of Jasper.
McFarlane.	Stewart of Reeves.
McKean.	Stiernberg.
Martin.	Storey.
Mathes.	Sweet.
Maxwell.	Teer.
Melson.	Thompson.
Merritt.	Thrasher.
Miller.	Turner.
Moore.	Wallace.
Morgan	Westbrook.
of Liberty.	Wilson.
Morgan	Winfree.
of Robertson.	Young.

Nays—1.

Looney.

Present—Not Voting.

Sanford.

Absent.

Barker.	LeMaster.
Bird.	McDaniel.
Blount.	McDonald.
Brady.	McNatt.
Bryant.	Montgomery.
Carpenter	Pool.
of Dallas.	Price.
Davenport.	Purl.
Dinkle.	Quinn.
Edwards.	Sackett.
Fugler.	Shires.
Gipson.	Smith.
Hardin of Erath.	Stroder.
Hardin	Vaughan.
of Kaufman.	Wells.
Harris.	Wessels.
Lackey.	Wilmons.

Absent—Excused.

Bobbitt.	Johnson.
Carter of Coke.	Lusk.
Frnka.	Merriman.

Rowland.  
Strickland.

Williamson.

HOUSE BILL NO. 626 ON SECOND  
READING.

On motion of Mr. McFarlane, by unanimous consent, the regular order of business was suspended, to take up and have placed on its second reading and passage to engrossment,

H. B. No. 626, A bill to be entitled "An Act declaring it to be unlawful to kill or trap doves and quail in Young county, in this State, for a period of five years, and inhibiting the taking or killing of wild fox in said counties for a period of five years, except by dogs; prescribing penalties for the violation of this act, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time.

Mr. McFarlane offered the following amendment to the bill:

Amend House bill No. 626 by striking out everything below the enacting clause and inserting in lieu thereof the following:

Section 1. Within a period of five years from and after the taking effect of this act it shall be unlawful for a person to trap with steel or with any kind of traps, take or kill any wild fox in the county of Young in this State; provided it shall not be unlawful to kill fox in said county at any time with dogs.

Sec. 2. Any person who violates any of the provisions of Section 1 of this act shall be deemed guilty of a misdemeanor and upon conviction shall be fined in any sum of not less than \$5 nor more than \$100, and each fox trapped or killed shall constitute a separate offense.

Sec. 3. The fact that foxes in Young county are about to become extinct creates an emergency and an imperative public necessity that the constitutional rule requiring that bills be read on three several days in each house be suspended and that this act shall take effect from and after its passage, and said rule is suspended and it is so enacted.

The amendment was adopted.

Mr. McFarlane offered the following amendment to the bill:

Amend caption of House bill No. 626 to hereafter read as follows:

A bill to be entitled "An Act declaring it to be unlawful to kill or trap in any manner wild fox in Young county for a period of five years, except by dogs; prescribing penalty for violation of this act, and declaring an emergency."

The amendment was adopted.

House bill No. 626 was then passed to engrossment.

**BILL ORDERED NOT PRINTED.**

On motion of Mr. Barrett, House bill No. 693 was ordered not printed.

**HOUSE BILL NO. 693 ON SECOND READING.**

Mr. Barrett moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 693 be placed on its second reading and passage to engrossment, and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—108.

Amsler.	Henderson
Arnold.	of McLennan.
Atkinson.	Hendricks.
Baker of Milam.	Howeth.
Baker of Orange.	Hughes.
Baldwin.	Hull.
Barker.	Jacks.
Barrett.	Jennings.
Beasley.	Jones.
Bell.	Kemble.
Bird.	Lackey.
Blount.	Laird.
Bonham.	Lamb.
Bryant.	Lane.
Burmeister.	LeStourgeon.
Cable.	Lewis.
Carpenter	Loftin.
of Matagorda.	Looney.
Carson.	McBride.
Carter of Hays.	McDaniel.
Chitwood.	McDonald.
Collins.	McFarlane.
Covey.	McKean.
Cowen.	McNatt.
Crawford.	Martin.
Culp.	Maxwell.
Davenport.	Melson.
Davis.	Merritt.
DeBerry.	Miller.
Dielmann.	Montgomery.
Dinkle.	Morgan
Dodd.	of Liberty.
Downs.	Morgan
Duffey.	of Robertson.
Dunlap.	Patman.
Dunn.	Patterson.
Durham.	Perdue.
Finlay.	Pinkston.
Green.	Pool.
Greer.	Pope.
Hardin of Erath.	Price.
Harrington.	Quaid.
Harris.	Rice.
Henderson	Robinson.
of Marion.	Rogers.

Russell	Stewart of Jasper.
of Callahan.	Stewart of Reeves.
Russell of Trinity.	Stiernberg.
Sackett.	Storey.
Sanford.	Thompson.
Satterwhite.	Thrasher.
Shearer.	Turner.
Smith.	Wallace.
Sparkman.	Wells.
Stell.	Wessels.
Stevens.	Wilson.
Stewart.	Young.
of Edwards.	

Absent.

Abney.	Mathes.
Avis.	Moore.
Brady.	Pate.
Carpenter	Potter.
of Dallas.	Purl.
Coffee.	Quinn.
Driggers.	Rountree.
Edwards.	Shires.
Faubion.	Simpson.
Fields.	Stroder.
Fugler.	Sweet.
Gipson.	Teer.
Hardin	Vaughan.
of Kaufman.	Westbrook.
Houston.	Wilmans.
Irwin.	Winfree.
LeMaster.	

Absent—Excused.

Bobbitt.	Merriman.
Carter of Coke.	Rowland.
Frnka.	Strickland.
Johnson.	Williamson.
Lusk.	

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 693, A bill to be entitled "An Act to amend Section 1 of Chapter 7, being House bill No. 96, passed by the Regular Session of the Thirty-third Legislature of the State of Texas, and entitled 'An Act creating an independent school district to be known as Calallen Independent School District, and to provide,' etc.; and also to amend Section 1, Chapter 22, being House bill No. 35, passed at the First Called Session of the Thirty-second Legislature of the State of Texas and entitled 'An Act to create the Robstown Independent School District,' etc.; prorating the indebtedness against the Calallen Independent School District, providing that the entire Robstown Independent School District may, by an election held for that purpose, assume and become liable for the amount of indebtedness prorated against that portion of said Robstown Inde-

pendent School District by this act attached thereto formerly belonging to the Calallen Independent School District, and declaring an emergency."

The bill was read second time and was passed to engrossment.

### HOUSE BILL NO. 693 ON THIRD READING.

The Speaker then laid House bill No. 693 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—107.

Abney.	Hull.
Amsler.	Jacks.
Atkinson.	Jennings.
Avis.	Jones.
Baker of Milam.	Lackey.
Baker of Orange.	Laird.
Beasley.	Lamb.
Bell.	Lane.
Bird.	LeSturgeon.
Blount.	Lewis.
Bonham.	Loftin.
Brady.	Looney.
Bryant.	McBride.
Burmeister.	McDaniel.
Cable.	McDonald.
Carpenter	McFarlane.
of Matagorda.	McKean.
Carson.	McNatt.
Carter of Hays.	Martin.
Chitwood.	Maxwell.
Collins.	Melson.
Covey.	Merritt.
Cowen.	Miller.
Crawford.	Montgomery.
Culp.	Morgan
Davenport.	of Liberty.
Davis.	Morgan
Dielmann.	of Robertson.
Dinkle.	Patterson.
Dodd.	Perdue.
Downs.	Pinkston.
Driggers.	Pool.
Duffey.	Pope.
Dunlap.	Price.
Dunn.	Quaid.
Durham.	Quinn.
Finlay.	Rice.
Green.	Robinson.
Hardin of Erath.	Rogers.
Harrington.	Russell
Harris.	of Callahan.
Hendricks.	Sackett.
Henderson	Sanford.
of Marion.	Satterwhite.
Henderson	Shearer.
of McLennan.	Shires.
Houston.	Simpson.
Howeth.	Smith.
Hughes.	Sparkman.

Stell.	Thompson.
Stevens.	Thrasher.
Stewart.	Turner.
of Edwards.	Wells.
Stewart of Jasper.	Wessels.
Stewart of Reeves.	Wilson.
Stiernberg.	Winfree.
Storey.	Young.
Sweet.	

Absent.

Arnold.	Kemble.
Baldwin.	LeMaster.
Barker.	Mathes.
Barrett.	Moore.
Carpenter	Pate.
of Dallas.	Patman.
Coffee.	Potter.
DeBerry.	Purl.
Edwards.	Rountree.
Faubion.	Russell of Trinity.
Fields.	Stroder.
Fugler.	Teer.
Gipson.	Vaughan.
Greer.	Wallace.
Hardin	Westbrook.
of Kaufman.	Wilmons.
Irwin.	

Absent—Excused.

Bobbitt.	Merriman.
Carter of Coke.	Rowland.
Frnka.	Strickland.
Johnson.	Williamson.
Lusk.	

### HOUSE BILL NO. 626 ON THIRD READING.

Mr. McFarlane moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 626 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—109.

Abney.	Carson.
Amsler.	Carter of Hays.
Arnold.	Chitwood.
Atkinson.	Collins.
Avis.	Covey.
Baker of Milam.	Cowen.
Baker of Orange.	Crawford.
Baldwin.	Culp.
Barrett.	Davis.
Beasley.	DeBerry.
Bell.	Dielmann.
Bird.	Dinkle.
Blount.	Dodd.
Bonham.	Downs.
Brady.	Driggers.
Bryant.	Duffey.
Burmeister.	Dunlap.
Cable.	Dunn.
Carpenter	Durham.
of Matagorda.	Finlay.



Gipson.	Patterson.
Hardin of Erath.	Perdue.
Harrington.	Pinkstor.
Harris.	Pool.
Henderson	Pope.
of Marion.	Price.
Henderson	Purl.
of McLennan.	Quaid.
Hendricks.	Quinn.
Houston.	Rice.
Howeth.	Robinson.
Hughes.	Rogers.
Hull.	Russell.
Jacks.	of Callahan.
Jennings.	Russell of Trinity.
Jones.	Sanford.
Laird.	Satterwhite.
Lane.	Shearer.
LeSturgeon.	Shires.
Lewis.	Simpson.
Loftin.	Smith.
Looney.	Sparkman.
McDaniel.	Stell.
McDonald.	Stevens.
McFarlane.	Stewart of Jasper.
McNatt.	Stewart of Reeves.
Martin.	Stiernberg.
Mathes.	Storey.
Maxwell.	Stroder.
Melson.	Sweet.
Merritt.	Thompson.
Miller.	Thrasher.
Montgomery.	Turner.
Moore.	Wallace.
Morgan	Wells.
of Liberty.	Westbrook.
Morgan	Wessels.
of Robertson.	Wilson.
Patman.	Young.

## Present—Not Voting.

Lackey.	Stewart.
Lamb.	of Edwards.

## Absent.

Barker.	Irwin.
Carpenter	Kemble.
of Dallas.	LeMaster.
Coffee.	McBride.
Davenport.	McKean.
Edwards.	Pate.
Faubion.	Potter.
Fields.	Rountree.
Fugler.	Sackett.
Green.	Teer.
Greer.	Vaughan.
Hardin	Wilmans.
of Kaufman.	Winfree.

## Absent—Excused.

Bobbitt.	Merriman.
Carter of Coke.	Rowland.
Frnka.	Strickland.
Johnson.	Williamson.
Lusk.	

The Speaker then laid House bill No. 626 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—103.

Abney.	Lewis.
Amsler.	Loftin.
Arnold.	Looney.
Atkinson.	McBride.
Avis.	McDaniel.
Baker of Milam.	McDonald.
Baker of Orange.	McFarlane.
Baldwin.	McNatt.
Barker.	Martin.
Barrett.	Mathes.
Beasley.	Maxwell.
Bell.	Melson.
Bird.	Miller.
Blount.	Montgomery.
Bonham.	Morgan
Brady.	of Liberty.
Bryant.	Morgan
Burmeister.	of Robertson.
Cable.	Patman.
Carpenter	Patterson.
of Matagorda.	Perdue.
Carson.	Pinkston.
Carter of Hays.	Pool.
Chitwood.	Pope.
Coffee.	Quaid.
Covey.	Quinn.
Culp.	Rice.
Davenport.	Robinson.
Davis.	Rogers.
DeBerry.	Russell
Dielmann.	of Callahan.
Dinkle.	Sackett.
Dodd.	Sanford.
Driggers.	Satterwhite.
Duffey.	Shearer.
Dunlap.	Shires.
Dunn.	Simpson.
Durham.	Smith.
Finlay.	Sparkman.
Gipson.	Stell.
Green.	Stevens.
Harrington.	Stewart of Jasper.
Harris.	Stiernberg.
Henderson	Storey.
of McLennan.	Stroder.
Hendricks.	Sweet.
Houston.	Thompson.
Howeth.	Thrasher.
Hughes.	Turner.
Hull.	Wallace.
Jacks.	Westbrook.
Jennings.	Wilson.
Laird.	Winfree.
Lane.	Young.
LeSturgeon.	

Nays—4.

Hardin of Erath.	Stewart.
Jones.	of Edwards.
	Stewart of Reeves.

## Present—Not Voting.

Lackey.

Lamb.

Absent.

Carpenter  
of Dallas.Kemble.  
LeMaster.

Collins.

McKean.

Cowen.

Merritt.

Crawford.

Moore.

Downs.

Pate.

Edwards.

Potter.

Faubion.

Price.

Fields.

Purl.

Fugler.

Rountree.

Greer.

Russell of Trinity.

Hardin

Teer.

of Kaufman.

Vaughan.

Henderson

Wells.

of Marion.

Wessels.

Irwin.

Wilmons.

Absent—Excused.

Bobbitt.

Merriman.

Carter of Coke.

Rowland.

Frnka.

Strickland.

Johnson.

Williamson.

Lusk.

SENATE BILL NO. 343 ON SECOND  
READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 343, A bill to be entitled "An Act to amend Section 7, Chapter 104, General Laws, passed at the Regular Session of the Thirty-seventh Legislature, creating and establishing four counties out of the territory embraced in the counties of Cameron, Hidalgo and Willacy, so as to provide for the collection of delinquent taxes in the new county as created and defined in the last paragraph of Section 1 of said chapter by the proper officer of said county, and declaring an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 343 ON THIRD  
READING.

Mr. Lewis moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 343 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—112.

Abney.

Baker of Orange.

Amsler.

Baldwin.

Arnold.

Barker.

Atkinson.

Barrett.

Avis.

Beasley.

Bell.

Bird.

Blount.

Bonham.

Brady.

Bryant.

Burmeister.

Cable.

Carpenter

of Matagorda.

Carson.

Carter of Hays.

Chitwood.

Coffee.

Collins.

Covey.

Cowen.

Crawford.

Culp.

Davenport.

Davis.

DeBerry.

Dielmann.

Dinkle.

Dodd.

Downs.

Driggers.

Duffey.

Dunlap.

Dunn.

Durham.

Faubion.

Gipson.

Green.

Hardin of Erath.

Harrington.

Henderson

of Marion.

Henderson

of McLennan.

Hendricks.

Houston.

Howeth.

Hughes.

Hull.

Irwin.

Jacks.

Jennings.

Laird.

Lamb.

Lane.

LeSturgeon.

Lewis.

Loftin.

McBride.

McDaniel.

McDonald.

McFarlane.

McKean.

McNatt.

Martin.

Mathes.

Maxwell.

Melson.

Merritt.

Miller.

Montgomery.

Morgan

of Liberty.

Morgan

of Robertson.

Patterson.

Perdue.

Pinkston.

Pool.

Pope.

Price.

Purl.

Quaid.

Quinn.

Robinson.

Rogers.

Russell

of Callahan.

Russell of Trinity.

Sackett.

Sanford.

Satterwhite.

Shearer.

Shires.

Simpson.

Smith.

Sparkman.

Stell.

Stewart.

of Edwards.

Stewart of Jasper.

Stewart of Reeves.

Stiernberg.

Storey.

Stroder.

Sweet.

Thompson.

Thrasher.

Turner.

Wallace.

Westbrook.

Wessels.

Wilson.

Young.

Nays—1.

Looney.

Present—Not Voting.

Lackey.

Absent.

Baker of Milam.

Fields.

Carpenter

Finlay.

of Dallas.

Fugler.

Edwards.

Greer.

Hardin	Potter.
of Kaufman.	Rice.
Harris.	Rountree.
Jones.	Stevens.
Kemble.	Teer.
LeMaster.	Vaughan.
Moore.	Wells.
Pate.	Wilmans.
Patman.	Winfree.

Absent—Excused.

Bobbitt.	Merriman.
Carter of Coke.	Rowland.
Frnka.	Strickland.
Johnson.	Williamson.
Lusk.	

The Speaker then laid Senate bill No. 343 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—116.

Abney.	Hardin of Erath.
Arnold.	Harrington.
Atkinson.	Harris.
Baker of Milam.	Henderson
Baker of Orange.	of Marion.
Baldwin.	Henderson
Barker.	of McLennan.
Barrett.	Hendricks.
Beasley.	Houston.
Bell.	Howeth.
Bird.	Hughes.
Blount.	Hull.
Bonham.	Jacks.
Brady.	Jennings.
Bryant.	Jones.
Burmeister.	Laird.
Cable.	Lamb.
Carpenter	Lane.
of Matagorda.	LeSturgeon.
Carson.	Lewis.
Carter of Hays.	Loftin.
Chitwood.	McBride.
Coffee.	McDaniel.
Collins.	McDonald.
Covey.	McFarlane.
Cowen.	McKean.
Crawford.	McNatt.
Culp.	Mathes.
Davenport.	Maxwell.
Davis.	Melson.
DeBerry.	Merritt.
Dielmann.	Miller.
Dinkle.	Montgomery.
Dodd.	Morgan
Downs.	of Liberty.
Driggers.	Morgan
Duffey.	of Robertson.
Dunlap.	Patterson.
Dunn.	Perdue.
Durham.	Pinkston.
Faubion.	Pool.
Gipson.	Pope.
Green.	Potter.

Price.	Stewart.
Purl.	of Edwards.
Quaid.	Stewart of Jasper.
Rice.	Stewart of Reeves.
Robinson.	Stiernberg.
Rogers.	Storey.
Russell	Stroder.
of Callahan.	Sweet.
Russell of Trinity.	Thompson.
Sackett.	Thrasher.
Sanford.	Turner.
Satterwhite.	Wallace.
Shearer.	Wells.
Shires.	Westbrook.
Simpson.	Wessels.
Smith.	Wilson.
Sparkman.	Winfree.
Stell.	Young.
Stevens.	

Nays—1.

Looney.

Present—Not Voting.

Lackey.

Quinn.

Absent.

Amsler.	Irwin.
Avis.	Kemble.
Carpenter	LeMaster.
of Dallas.	Martin.
Edwards.	Moore.
Fields.	Pate.
Finlay.	Patman.
Fugler.	Rountree.
Greer.	Teer.
Hardin	Vaughan.
of Kaufman.	Wilmans.

Absent—Excused.

Bobbitt.	Merriman.
Carter of Coke.	Rowland.
Frnka.	Strickland.
Johnson.	Williamson.
Lusk.	

## HOUSE BILL NO. 493 ON SECOND READING.

On motion of Mr. Bonham, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 493, A bill to be entitled "An Act extending for a period of five years from the passage of this act all permits to prospect for oil and gas heretofore issued on river beds and channels, fresh water lakes and islands therein, and on university lands, asylum lands and public school lands, surveyed or unsurveyed, which are unsold at the time this act goes into effect; and providing that all permits hereafter issued thereon shall be for a period of five years; and providing the conditions of

said permits, which are that such permits are extended on the condition that the owner shall pay to the State annually in advance, during the life of the permit, ten cents per acre, and that the owner of the permit shall drill, at the discretion of the Commissioner of the General Land Office, such offset well or wells as may be necessary to protect the State's interest in the area included in the permit, and providing for an emergency."

The Speaker laid the bill before the House and it was read second time.

Mr. Bonham offered the following amendment to the bill:

Amend the bill at the end of Section 1 add the following: "provided that all permits heretofore issued on lands lying within any area under the control of a Federal receiver appointed by the Supreme Court of the United States, shall be, and they are hereby, extended for a period of at least three years from and after the termination of such receivership."

The amendment was adopted.

Mr. Jones offered the following amendment to the bill:

Amend House bill No. 493 by striking out the words "or unsurveyed" wherever they appear in both bill and caption, and strike out the word "five" wherever it appears and insert in lieu thereof the word "three" and insert after the word "said" in line 28, the word "unsold."

The amendment was adopted.

Mr. McFarlane offered the following amendment to the bill:

Amend House bill No. 493 by inserting in line 24, page 1, after the word "lakes" the following words: "bays, marshes, reefs, salt water lakes, submerged lands."

The amendment was adopted.

House bill No. 493 was then passed to engrossment.

#### HOUSE BILL NO. 493 ON THIRD READING.

Mr. Bonham moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 493 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—100.

Mr. Speaker.	Arnold.
Abney.	Atkinson.
Amsler.	Avis.

Baker of Milam.	LeSturgeon.
Baker of Orange.	Lewis.
Baldwin.	Loftin.
Barker.	Looney.
Barrett.	McBride.
Beasley.	McDaniel.
Bell.	McDonald.
Bird.	McFarlane.
Bonham.	Maxwell.
Bryant.	Melson.
Cable.	Merritt.
Carpenter	Morgan
of Matagorda.	of Liberty.
Carson.	Morgan
Carter of Hays.	of Robertson.
Chitwood.	Moore.
Collins.	Pate.
Covey.	Patterson.
Cowen.	Perdue.
Crawford.	Pinkston.
DeBerry.	Pope.
Dielmann.	Potter.
Dinkle.	Price.
Dodd.	Quaid.
Downs.	Quinn.
Driggers.	Rice.
Duffey.	Robinson.
Dunlap.	Rogers.
Dunn.	Russell
Durham.	of Callahan.
Edwards.	Russell of Trinity.
Faubion.	Sackett.
Gipson.	Sanford.
Green.	Satterwhite.
Hardin	Shearer.
of Kaufman.	Simpson.
Henderson	Smith.
of Marior.	Sparkman.
Henderson	Stell.
of McLennan.	Stewart.
Houston.	of Edwards.
Howeth.	Stewart of Jasper.
Hughes.	Stiernberg.
Hull.	Storey.
Irwin.	Stroder.
Jacks.	Thompson.
Jennings.	Wells.
Jones.	Westbrook.
Lackey.	Wilson.
Lamb.	Winfree.
Lane.	Young.

Nays—6.

Davis.	Mathes.
Hendricks.	Stevens.
Laird.	Wessels.

Present—Not Voting.

Harris.	Martin.
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Absent.

Bobbitt.	Coffee.
Brady.	Culp.
Burmeister.	Davenport.
Carpenter	Fields.
of Dallas.	Finlay.

Fugler.	Purl.
Greer.	Rountree.
Hardin of Erath.	Shires.
Harrington.	Stewart of Reeves.
Kemble.	Sweet.
LeMaster.	Teer.
McKean.	Thrasher.
McNatt.	Turner.
Miller.	Vaughan.
Montgomery.	Wallace.
Patman.	Wilmans.
Pool.	

Absent—Excused.

Blount.	Merriman.
Carter of Coke.	Rowland.
Frnka.	Strickland.
Johnson.	Williamson.
Lusk.	

(Speaker in the chair.)

The Speaker then laid House bill No. 493 before the House on its third reading and final passage.

The bill was read third time.

Mr. Bonham offered the following amendment to the bill:

Amend caption to House bill No. 493 to read as follows: "An Act extending for a period of three years from the passage of this act all permits to prospect for oil and gas heretofore issued on river beds and channels, fresh water lakes, bays, marshes, reefs, salt water lakes and submerged lands and islands therein, and on university lands, asylum lands and public school lands, surveyed, which are unsold at the time this act goes into effect; that all permits hereafter issued on such lands shall be for a period of three years; providing the conditions of such permits, and further providing that all permits on lands under the control of any Federal receiver appointed by the Supreme Court of the United States shall be extended for a period of at least three years after the termination of such receivership."

The amendment was adopted.

House bill No. 493 was then passed.

#### BILLS SIGNED BY THE SPEAKER.

The Speaker signed in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills:

H. B. No. 565, "An Act to reorganize the Thirtieth and Sixteenth Judicial Districts and to create the Ninety-second Judicial District of the State of Texas, and for the appointment of the district judge for the Ninety-second Judicial District; providing for holding the district courts and terms in said Thir-

tieth, Sixteenth and Ninety-second Judicial Districts, respectively; providing that all process and writs heretofore issued, and that all recognizances and bonds heretofore made and executed and returnable to existing terms of district courts in the counties composing said districts, together with jurors heretofore selected, are valid and returnable to the first term of such court after this act takes effect, providing that the county attorneys of the respective counties within said Ninety-second Judicial District shall perform the duties of district attorneys in their counties as well as the duties now performed by them, and providing fees of office for such county attorneys; providing for the transfer of cases from the Thirtieth Judicial District to the Ninety-second Judicial District, and from the Sixteenth Judicial District to the Ninety-second Judicial District; providing for the jurisdiction of said district courts, and providing for the continuation of the existing district courts in said counties in session when this act takes effect to the end of their terms; repealing all conflicting laws, and declaring an emergency."

H. B. No. 608, "An Act to create the Carta Valley Independent School District in Edwards and Val Verde counties, Texas; providing a board of trustees therefor; vesting said independent school district and board of trustees with all the rights, powers, privileges and duties conferred upon independent school districts incorporated under the general laws of Texas; providing that the board of trustees of the existing school in said district shall continue to act as such until their successors are elected in accordance with the general laws of Texas, and declaring an emergency."

H. B. No. 549, "An Act creating the Thrall Independent School District in the county of Williamson, State of Texas; defining its boundaries; providing for a board of trustees to control and manage the schools of the said district; divesting Common School District No. 21 of Williamson county, Texas, of the control of the free schools of the said district and of the title, management and control of all property held, owned and controlled for public free school purposes therein, and vesting the same in the said independent school district and in the board of trustees thereof; providing for the assessing and collecting of taxes; providing for the issuing of bonds; providing for the election of a treasurer for the said school district;

providing for the election of an assessor and collector for said school district; providing for the erection of buildings, and equipping same for school purposes, and assuming the payment of the outstanding bonded indebtedness of Common School District No. 21 of Williamson county, Texas, and creating an emergency."

H. B. No. 620, "An Act creating Pontotoc Common County Line School District No. 31 of Mason, San Saba and Llano counties, and placing the same under the management and control of Llano county; defining the powers of said district; providing for election of the first board of trustees of said district; providing for an election to determine whether or not a special tax for maintenance purposes shall be levied upon the property contained in said district, and to determine whether the several outstanding obligations which may exist against the several territories and the portion of territory of other districts embraced in this district shall be assumed in whole the property of this district to provide for such indebtedness and pro rata thereof; making alternative provision for the protection of all such indebtedness; abolishing existing school districts wholly included within its boundaries, and declaring an emergency."

H. B. No. 609, "An Act to amend Section 2, Chapter 22, Acts of the Thirtieth Legislature, Regular Session, re-defining the boundaries of the San Saba Independent School District, and declaring an emergency."

H. B. No. 570, "An Act changing and enlarging the boundaries of the Elmo Independent School District in Kaufman county, and providing for an election to adjust the territory thus added to taxes which may be now levied upon the property of said Elmo Independent School District and for an assumption by said Elmo Independent School District of the pro rata of taxes to which the territory thus added to said Elmo Independent School District by this act may be subject by reason of any outstanding bond issue or bond issues previously voted by any school district or school districts of which such added territory may have heretofore formed part; defining the powers of said Elmo Independent School District, and declaring an emergency."

H. B. No. 546, "An Act to validate Simmons Common School District No. 7 in Grayson county Texas, as re-defined and re-established by order of the county school trustees of Grayson

county, Texas, on February 12, 1923, and Common County Line School District No. 8, as re-defined and re-established by an order of the county school trustees of Grayson county, Texas, on February 12, 1923, and by an order of the county school trustees of Collin county, Texas, on February 13, 1923."

H. B. No. 539, "An Act to increase the civil jurisdiction of the county court of Hockley county, and the unorganized county of Cochran, and declaring an emergency."

H. B. No. 510, "An Act to increase and fix the salary of the superintendent of public instruction of Dallas county, Texas; providing for office expenses; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

H. B. No. 60, "An Act to create and provide for a Department of Insurance for the State of Texas, separate and distinct from the Department of Banking of this State, to provide for the appointment, term of office, name, compensation and to prescribe the qualifications and the powers and duties of the head of such department; to provide for a seal of such office; to require of the Commissioner of Insurance an oath of office and a bond for the faithful discharge of his duties; to provide for a deputy commissioner, and to define the duties and powers and obligations of the deputy commissioner, and to provide for actuaries and examiners, and for clerical help for such department; to amend Chapter 7 of Title 65 of the Revised Statutes of the State of Texas, and particularly to amend Articles 4485, 4486, 4487, 4488, 4489, 4490, 4491 and 4492, and to repeal all laws and parts of laws in conflict herewith, and to declare an emergency."

H. B. No. 600, "An Act to amend Chapter 18 of the Local and Special Laws, passed at the Regular Session of the Thirtieth Legislature, and the same being an act to create the Tulia Independent School District in Swisher county, Texas, adding thereto Section 6a, validating bond elections heretofore held and bonds issued thereunder, and declaring an emergency."

H. B. No. 491, "An Act creating and establishing the Spanish Fort Independent School District in Montague county, Texas; defining its boundaries; providing for a board of trustees in said district; continuing in office the board of trustees as heretofore elected in said district until the expiration of their re-

spective terms of office; vesting title in said board of trustees to all school property in said district; conferring upon said district and its board of trustees all of the rights, powers, privileges and duties now conferred and imposed by the general laws of Texas upon independent school districts and the boards of trustees thereof; providing for a seal, and for the selection of a secretary, treasurer and assessor and collector of taxes; for a board of equalization, and prescribing its duties, etc., and declaring an emergency."

H. B. No. 353, "An Act to prescribe a closed season for the hunting of blue quail or scaled quail in Lampasas county, Texas, and to provide adequate penalties for the unlawful taking, slaughter, storage or possession of same; to repeal all laws in conflict herewith, and declaring an emergency."

H. B. No. 589, "An Act creating the Santa Margarita Independent School District in Willacy county, Texas, and defining its boundaries; providing for the election of a board of trustees therefor; providing for the election of a secretary, treasurer, assessor and collector of taxes and all other necessary officers and committees, and prescribing their qualifications; investing said district with all the rights, powers, privileges and duties of a town or village incorporated under the general laws of the State for free school purposes only, and declaring an emergency."

H. B. No. 560, "An Act creating the Midway Independent School District in Lynn county, Texas."

H. B. No. 561, "An Act creating the Joe Stokes Independent School District in Lynn county, Texas."

H. B. No. 610, "An Act to amend Section 1 of Chapter 3, Local and Special Laws, Third Called Session, Thirty-sixth Legislature, amending and revising the metes and bounds of the Moran Independent School District in Shackelford and Callahan counties, Texas, and declaring an emergency."

#### HOUSE BILL NO. 615 ON ENGROSSMENT.

The House resumed consideration of pending business, same being House bill No. 615, relating to establishing judicial district courts, on its passage to engrossment, with motion by Mr. Hardin of Kaufman to postpone further consideration of the bill indefinitely, pending.

Question recurring on the motion to

postpone indefinitely, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—54.

Arnold.	Irwin.
Baker of Milam.	Kemble.
Baker of Orange.	LeSturgeon.
Barker.	Loftin.
Beasley.	Looney.
Carpenter	McBride.
of Dallas.	McDaniel.
Carson.	McFarlane.
Collins.	Mathes.
Cowen.	Merritt.
Culp.	Morgan
Davenport.	of Liberty.
Davis.	Morgan
DeBerry.	of Robertson.
Dinkle.	Perdue.
Dodd.	Pool.
Durham.	Purl.
Green.	Quinn.
Greer.	Robinson.
Hardin of Erath.	Rogers.
Hardin	Sanford.
of Kaufman.	Stell.
Henderson	Stevens.
of Marion.	Stiernberg.
Henderson	Storey.
of McLennan.	Stroder.
Houston.	Wells.
Howeth.	Wessels.
Hughes.	Wilson.
Hull.	Winfree.

Nays—59.

Abney.	Laird.
Amsler.	Lamb.
Atkinson.	Lane.
Avis.	Lewis.
Baldwin.	McKean.
Barrett.	McNatt.
Bell.	Martin.
Bird.	Maxwell.
Bonham.	Melson.
Bryant.	Moore.
Cable.	Pate.
Carpenter	Patman.
of Matagorda.	Patterson.
Carter of Hays.	Pinkston.
Chitwood.	Potter.
Covey.	Rice.
Dielmann.	Russell
Downs.	of Callahan.
Driggers.	Russell of Trinity.
Duffey.	Sackett.
Dunn.	Satterwhite.
Edwards.	Shearer.
Faubion.	Simpson.
Fugler.	Smith.
Gipson.	Sparkman.
Harris.	Stewart
Hendricks.	of Edwards.
Jennings.	Stewart of Jasper.
Lackey.	Stewart of Reeves.

Sweet.  
Thompson.  
Thrasher.

Westbrook.  
Young.

Absent.

Bobbitt.  
Brady.  
Burmeister.  
Coffee.  
Crawford.  
Dunlap.  
Fields.  
Finlay.  
Harrington.  
Jacks.  
Jones.  
LeMaster.  
McDonald.

Miller.  
Montgomery.  
Pope.  
Price.  
Quaid.  
Rountree.  
Shires.  
Teer.  
Turner.  
Vaughan.  
Wallace.  
Wilmans.

Absent—Excused.

Blount.  
Carter of Coke.  
Frnka.  
Johnson.  
Lusk.

Merriman.  
Rowland.  
Strickland.  
Williamson.

On motion of Mr. Baldwin, further consideration of the bill was postponed until 3 o'clock p. m. next Saturday.

#### SENATE BILL NO. 160 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 160, A bill to be entitled "An Act providing for the execution of convicts condemned to death by electrocution; prescribing the procedure in such cases; providing the means for accomplishing the purposes of this act; repealing certain statutes, and all laws or parts of laws in conflict herewith, and declaring an emergency."

The bill was read second time.

Mr. Satterwhite offered the following amendment to the bill:

Amend Senate bill No. 160 by striking out all below the enacting clause and insert in lieu thereof the following:

Section 1. That Article 884 of the Code of Criminal Procedure of Revised Statutes of 1911 be so amended as to hereafter read as follows:

"Article 884. The sentence of death shall be executed by causing to pass through the body of the convict a current of electricity of such intensity as to cause death, and the application and continuance of such current through the body of such convict until such convict is dead."

Sec. 2. That Article 885 of the Code of Criminal Procedure of the Revised

Statutes of 1911 be so amended as to hereafter read as follows:

"Article 885. Where there is a jail in the county it shall be the duty of the county commissioners court to provide the necessary room and appliances to carry out the electrocution as provided in this act."

Sec. 3. That subdivision 2 of Article 892 be so amended as to hereafter read as follows:

"2. If the execution does not take place within the jail the return shall state that there is no jail or that it is so constructed that an electric appliance could not have been erected therein."

On motion of Mr. Potter, the amendment was tabled.

Mr. Rogers offered the following amendment to the bill:

Amend Senate bill No. 160 by striking out the enacting clause.

Signed—Cowen, Rogers, Baker of Orange, Pool, Quinn, Morgan of Liberty, Collins, Russell of Trinity, Stroder, Baker of Milam.

Mr. Satterwhite moved that further consideration of the bill be postponed until 2 o'clock p. m. tomorrow, and the motion was lost.

Question recurring on the amendment by Mr. Rogers, it was lost.

Mr. Morgan of Robertson offered the following amendment to the bill:

Amend Senate bill No. 160, page 4, line 9, after the word "court" by adding the following: "Provided, that the body of the person electrocuted may be returned to the county in which conviction was had at the expense of the county."

The amendment was adopted.

Senate bill No. 160 was then passed to third reading.

#### SENATE BILL NO. 160 ON THIRD READING.

Mr. Culp moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 160 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—99.

Mr. Speaker.  
Amsler.  
Arnold.  
Avis.  
Baker of Orange.  
Barker.  
Barrett.  
Beasley.

Bell.  
Bird.  
Bryant.  
Burmeister.  
Cable.  
Carpenter  
of Dallas.



Carpenter of Matagorda.	Martin.
Carson.	Melson.
Chitwood.	Miller.
Covey.	Moore.
Cowen.	Morgan
Culp.	of Robertson.
Davenport.	Patman.
DeBerry.	Patterson.
Dielmann.	Pinkston.
Dinkle.	Pool.
Dodd.	Pope.
Downs.	Potter.
Driggers.	Price.
Duffey.	Purl.
Dunlap.	Quaid.
Dunn.	Quinn.
Durham.	Rice.
Edwards.	Robinson.
Fields.	Rountree.
Fugler.	Russell
Gipson.	of Callahan.
Green.	Sackett.
Hardin of Erath.	Sanford.
Harrington.	Shearer.
Harris.	Simpson.
Henderson	Smith.
of Marion.	Sparkman.
Henderson	Stevens.
of McLennan.	Stewart of Jasper.
Hendricks.	Stewart
Howeth.	of Edwards.
Hughes.	Stewart of Reeves.
Hull.	Stiernberg.
Irwin.	Storey.
Jacks.	Stroder.
Jones.	Sweet.
Kemble.	Teer.
Laird.	Thompson.
Lamb.	Thrasher.
Lane.	Turner.
LeSturgeon.	Wallace.
McBride.	Wells.
McDonald.	Wilson.
McFarlane.	Winfree.
McNatt.	Young.

## Nays—16.

Abney.	Maxwell.
Atkinson.	Morgan
Baker of Milam.	of Liberty.
Collins.	Perdue.
Faubion.	Rogers.
Looney.	Russell of Trinity.
McDaniel.	Satterwhite.
McKean.	Wessels.
Mathes.	

## Absent.

Baldwin.	Finlay.
Blount.	Greer.
Bonham.	Hardin
Brady.	of Kaufman.
Carter of Hays.	Houston.
Coffee.	Jennings.
Crawford.	Lackey.
Davis.	LeMaster.

Lewis.	Shires.
Loftin.	Stell.
Merritt.	Vaughan.
Montgomery.	Westbrook.
Pate.	Wilmans.

## Absent—Excused.

Bobbitt.	Merriman.
Carter of Coke.	Rowland.
Frnka.	Strickland.
Johnson.	Williamson.
Lusk.	

The Speaker then laid Senate bill No. 160 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—91.

Amsler.	Jones.
Avis.	Kemble.
Baker of Orange.	Laird.
Barrett.	Lamb.
Beasley.	Lane.
Bell.	McBride.
Bird.	McFarlane.
Bryant.	McNatt.
Burmeister.	Martin.
Cable.	Melson.
Carpenter	Miller.
of Dallas.	Moore.
Carpenter	Morgan
of Matagorda.	of Robertson.
Carson.	Patman.
Chitwood.	Patterson.
Coffee.	Pinkston.
Covey.	Pope.
Crawford.	Potter.
Culp.	Price.
Davenport.	Purl.
DeBerry.	Quaid.
Dielmann.	Quinn.
Dinkle.	Rice.
Dodd.	Robinson.
Downs.	Rountree.
Dunlap.	Russell
Dunn.	of Callahan.
Durham.	Sackett.
Edwards.	Sanford.
Fields.	Satterwhite.
Fugler.	Simpson.
Gipson.	Smith.
Green.	Sparkman.
Hardin of Erath.	Stell.
Harrington.	Stewart
Harris.	of Edwards.
Henderson	Stewart of Jasper.
of Marion.	Stewart of Reeves.
Henderson	Stiernberg.
of McLennan.	Storey.
Hendricks.	Stroder.
Howeth.	Sweet.
Hughes.	Thompson.
Hull.	Thrasher.
Irwin.	Turner.
Jacks.	Wallace.

Wells.  
Wilson.

Winfree.  
Young.

Nays—19.

Abney.	McKean.
Atkinson.	Mathes.
Baker of Milam.	Maxwell.
Barker.	Morgan
Collins.	of Liberty.
Cowen.	Perdue.
Driggers.	Pool.
Duffey.	Rogers.
Looney.	Russell of Trinity.
McDaniel.	Wessels.

Present—Not Voting.

Hardin  
of Kaufman. Shearer.

Absent.

Arnold.	LeSturgeon.
Baldwin.	Lewis.
Blount.	Loftin.
Bonham.	McDonald.
Brady.	Merritt.
Carter of Hays.	Montgomery.
Davis.	Pate.
Faubion.	Shires.
Finlay.	Stevens.
Greer.	Teer.
Houston.	Vaughan.
Jennings.	Westbrook.
Lackey.	Wilmans.
LeMaster.	

Absent—Excused.

Bobbitt.	Merriman.
Carter of Coke.	Rowland.
Frnka.	Strickland.
Johnson.	Williamson.
Lusk.	

Mr. Culp moved to reconsider the vote by which the bill was passed and to table the motion to reconsider.

The motion to table prevailed.

SENATE BILL NO. 155 ON PASSAGE  
TO THIRD READING.

Mr. Beasley moved to reconsider the vote by which Senate bill No. 155 failed to pass to third reading.

The motion to reconsider prevailed.

Mr. Pope then moved to reconsider the vote by which an amendment by him to the bill was lost.

The motion to reconsider prevailed.

The amendment by Mr. Pope was then adopted.

Senate bill No. 155 was then passed to third reading.

SENATE BILL NO. 155 ON THIRD  
READING.

Mr. Moore moved that the constitutional rule requiring bills to be read on

three several days be suspended and that Senate bill No. 155 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—92.

Mr. Speaker.	Laird.
Amsler.	Lamb.
Arnold.	Lane.
Avis.	LeSturgeon.
Baker of Milam.	McBride.
Baker of Orange.	McDonald.
Barrett.	McKean.
Beasley.	McNatt.
Bell.	Martin.
Bird.	Maxwell.
Bryant.	Melson.
Burmeister.	Miller.
Cable.	Moore.
Carpenter	Patman.
of Dallas.	Pinkston.
Chitwood.	Pool.
Collins.	Pope.
Cowen.	Potter.
Davenport.	Price.
DeBerry.	Purl.
Dielmann.	Quaid.
Dinkle.	Quinn.
Dodd.	Rice.
Downs.	Robinson.
Driggers.	Rogers.
Dunlap.	Rountree.
Dunn.	Russell
Durham.	of Callahan.
Edwards.	Sackett.
Faubion.	Sanford.
Fugler.	Satterwhite.
Gipson.	Shearer.
Green.	Simpson.
Hardin of Erath.	Smith.
Harrington.	Sparkman.
Harris.	Stewart
Henderson	of Edwards.
of Marion.	Stewart of Reeves.
Henderson	Storey.
of McLennan.	Stroder.
Hendricks.	Sweet.
Howeth.	Teer.
Hughes.	Thrasher.
Hull.	Turner.
Irwin.	Wallace.
Jacks.	Wells.
Jones.	Wilson.
Kemble.	Winfree.
Lackey.	Young.

Nays—19.

Abney.	McFarlane.
Atkinson.	Mathes.
Barker.	Morgan
Duffey.	of Liberty.
Hardin	Morgan
of Kaufman.	of Robertson.
Looney.	Perdue.
McDaniel.	Russell of Trinity.

Stell.	Stiernberg.
Stevens.	Thompson.
Stewart of Jasper.	Wessels.

Absent.

Baldwin.	Greer.
Blount.	Houston.
Bonham.	Jennings.
Brady.	LeMaster.
Carpenter	Lewis.
of Matagorda.	Loftin.
Carson.	Merritt.
Carter of Hays.	Montgomery.
Coffee.	Pate.
Covey.	Patterson.
Crawford.	Shires.
Culp.	Vaughan.
Davis.	Westbrook.
Fields.	Williamson.
Finlay.	Wilmans.

Absent—Excused.

Bobbitt.	Lusk.
Carter of Coke.	Merriman.
Frnka.	Rowland.
Johnson.	Strickland.

The Speaker then laid Senate bill No. 155 before the House on its third reading and final passage.

The bill was read third time and was passed.

#### FREE CONFERENCE COMMITTEE ON SENATE BILL NO. 100.

The Speaker announced the appointment of the following free conference committee on Senate bill No. 100:

Messrs. Wallace, Dunn, Blount, Hughes and Irwin.

#### HOUSE BILL ON FIRST READING.

The following House bill, introduced today, was laid before the House, read first time and referred to the appropriate committee, as follows:

By Mr. Stewart of Reeves:

H. B. No. 694, A bill to be entitled "An Act authorizing the appointment of a person to represent the State of Texas in a conference with representatives of the United States and of the State of New Mexico, with a view to negotiating an agreement concerning the storage, division and use of the waters of the Pecos River in New Mexico and Texas; authorizing the gathering of data and information necessary thereto; prescribing the authority and duties of such representatives; prescribing the method of reaching such agreement and having the same agreed to and ratified by the State Legislature and

approved by the Governor; making an appropriation to carry out the purposes of the act, and declaring an emergency."

Referred to Committee on Conservation and Reclamation.

#### NOTICE GIVEN.

Mr. Davenport gave notice that he would on tomorrow call up for consideration at that time, House bill No. 223, which bill had heretofore been laid on the table subject to call.

#### RECESS.

Mr. Quinn moved that the House recess to 8 o'clock p. m. today.

Mr. Fugler moved that the House adjourn until 9 o'clock a. m. tomorrow.

Mr. Howeth moved that the House recess to 9:30 o'clock p. m. today.

The motion of Mr. Quinn prevailed and the House, accordingly, at 6:25 o'clock p. m., took recess to 8 o'clock p. m. today.

#### NIGHT SESSION.

The House met at 8 o'clock p. m. and was called to order by the Speaker.

#### SENATE BILL NO. 198 ON SECOND READING.

On motion of Mr. Jones, by unanimous consent, the regular order of business was suspended, to take up and have placed on its second reading and passage to third reading.

S. B. No. 198, A bill to be entitled "An Act authorizing any street or suburban railway company, or interurban railway company, to lease or acquire and own, maintain and operate automobiles, automobile buses and automobile bus lines for transportation of passengers or property, or both; authorizing the inclusion of such powers in the charters of such companies hereafter organized, so as to include such powers, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time and was passed to third reading.

#### SENATE BILL NO. 248 ON SECOND READING.

The Speaker laid before the House, as a special order for this hour, on its second reading and passage to third reading,

S. B. No. 248, A bill to be entitled "An Act to require a record kept and report made of attendance of teachers at

summer normals and county institutes, and providing full pay for attendance upon teachers' institutes."

The bill was read second time.

Mr. Covey offered the following amendment to the bill:

Amend S. B. No. 248 by striking out all after the enacting clause and substituting the following:

Section 1. That Article 2753 of the Revised Civil Statutes of 1911 providing for the organization and holding of county institutes for teachers and institutes of independent school districts for teachers; requiring teachers to attend such institutes and authorizing county superintendents to cancel teachers' certificates for failure to attend such institutes, be and the same is hereby repealed.

Sec. 2. The fact that much time is wasted by teachers attending county and district institutes each year without material benefit to the school children of the State, but entailing a great expense which is borne by the available school fund of the State, creates an emergency and an imperative public necessity demanding the suspension of the constitutional rule requiring bills to be read on three several days in each house and that this act shall take effect and be in force from and after its passage, and said rule is hereby suspended, and it is so enacted.

Mr. Simpson raised a point of order on consideration of the amendment on the ground that the amendment is not germane to the purpose of the bill.

The Speaker overruled the point of order.

Mr. Simpson raised a point of order on further consideration of the amendment on the ground that a bill containing the same substance had been defeated in the House.

The Speaker overruled the point of order.

Mr. Lackey moved the previous question on the pending amendment and the bill, and the main question was ordered.

Question recurring on the amendment by Mr. Covey, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—45.

Atkinson.	Crawford.
Avis.	Dinkle.
Barker.	Dodd.
Cable.	Downs.
Coffee.	Driggers.
Collins.	Duffey.
Covey.	Finlay.

Fugler.  
Hardin of Erath.  
Henderson  
of McLennan.  
Howeth.  
Hughes.  
Irwin.  
Jennings.  
Laird.  
LeSturgeon.  
Loftin.  
Looney.  
McBride.  
McDaniel.  
McKean.  
Maxwell.

Merritt.  
Patterson.  
Perdue.  
Pinkston.  
Quaid.  
Rice.  
Sackett.  
Sanford.  
Shires.  
Stewart of Jasper.  
Stewart of Reeves.  
Storey.  
Stroder.  
Westbrook.  
Wessels.  
Wilson.

Nays—54.

Amsler.  
Arnold.  
Baker of Orange.  
Beasley.  
Bell.  
Burmeister.  
Carson.  
Chitwood.  
Davenport.  
DeBerry.  
Dunn.  
Durham.  
Edwards.  
Faubion.  
Green.  
Greer.  
Hardin  
of Kaufman.  
Harrington.  
Harris.  
Henderson  
of Marion.  
Jones.  
Kemble.  
Lackey.  
Lane.  
McFarlane.  
McNatt.  
Melson.  
Montgomery.

Moore.  
Morgan  
of Liberty.  
Morgan  
of Robertson.  
Patman.  
Pool.  
Potter.  
Price.  
Purl.  
Quinn.  
Robinson.  
Rogers.  
Rountree.  
Russell  
of Callahan.  
Satterwhite.  
Shearer.  
Simpson.  
Smith.  
Sparkman.  
Stell.  
Stewart.  
of Edwards.  
Stiernberg.  
Teer.  
Thrasher.  
Wallace.  
Wells.  
Winfree.

Present—Not Voting.

Abney.  
Bird.  
Bryant.  
Hendricks.

Jacks.  
Lewis.  
McDonald.  
Miller.

Absent.

Baker of Milam.  
Baldwin.  
Barrett.  
Blount.  
Bonham.  
Brady.  
Carpenter  
of Dallas.  
Carpenter  
of Matagorda.

Carter of Hays.  
Cowen.  
Culp.  
Davis.  
Dielmann.  
Dunlap.  
Fields.  
Gipson.  
Houston.  
Hull.

Lamb.	Stevens.
LeMaster.	Sweet.
Martin.	Thompson.
Mathes.	Turner.
Pate.	Vaughan.
Pope.	Wilmans.
Russell of Trinity.	Young.

Absent—Excused.

Bobbitt.	Merriman.
Carter of Coke.	Rowland.
Frnka.	Strickland.
Johnson.	Williamson.
Lusk.	

Question recurring on the passage of the bill to third reading, yeas and nays were demanded.

Senate bill No. 278 was then passed to third reading by the following vote:

Yeas—82.

Abney.	McDonald.
Amsler.	McFarlane.
Arnold.	McNatt.
Avis.	Martin.
Baker of Milam.	Melson.
Baker of Orange.	Miller.
Barker.	Montgomery.
Beasley.	Moore.
Bell.	Morgan
Bird.	of Liberty.
Bryant.	Morgan
Burmeister.	of Robertson.
Carson.	Patman.
Chitwood.	Patterson.
Coffee.	Pool.
Culp.	Potter.
Davenport.	Purl.
DeBerry.	Quaid.
Dinkle.	Quinn.
Dodd.	Robinson.
Dunlap.	Rogers.
Dunn.	Rountree.
Durham.	Russell
Edwards.	of Callahan.
Faubion.	Sackett.
Green.	Satterwhite.
Greer.	Shearer.
Hardin of Erath.	Shires.
Hardin	Simpson.
of Kaufman.	Smith.
Harrington.	Sparkman.
Harris.	Stell.
Henderson	Stewart.
of Marion.	of Edwards.
Henderson	Stiernberg.
of McLennan.	Storey.
Hendricks.	Stroder.
Irwin.	Teer.
Jacks.	Thrasher.
Jennings.	Wallace.
Jones.	Wells.
Lackey.	Westbrook.
Laird.	Wilson.
Lane.	Winfree.
McBride.	Young.

Nays—26.

Atkinson.	Looney.
Cable.	McDaniel.
Carpenter	McKean.
of Matagorda.	Maxwell.
Collins.	Merritt.
Covey.	Perdue.
Downs.	Pinkston.
Driggers.	Rice.
Duffey.	Sanford.
Finlay.	Stevens.
Howeth.	Stewart of Jasper.
Hughes.	Stewart of Reeves.
LeSturgeon.	Wessels.

Present—Not Voting.

Crawford.	Lewis.
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Absent.

Baldwin.	Hull.
Barrett.	Kemble.
Blount.	Lamb.
Bonham.	LeMaster.
Brady.	Loftin.
Carpenter	Mathes.
of Dallas.	Pate.
Carter of Hays.	Pope.
Cowen.	Price.
Davis.	Russell of Trinity.
Dielmann.	Sweet.
Fields.	Thompson.
Fugler.	Turner.
Gipson.	Vaughan.
Houston.	Wilmans.

Absent—Excused.

Bobbitt.	Merriman.
Carter of Coke.	Rowland.
Frnka.	Strickland.
Johnson.	Williamson.
Lusk.	

## SENATE BILL NO. 249 ON SECOND READING.

The Speaker laid before the House, as a special order for this hour, on its second reading and passage to third reading,

S. B. No. 249, A bill to be entitled "An Act to provide for the issuance of serial coupon bonds for the purpose of constructing teachers' homes and purchasing land in connection therewith, and declaring an emergency."

The bill was read second time and was passed to third reading.

## SENATE BILL NO. 249 ON THIRD READING.

Mr. Chitwood moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 249 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—95.

Mr. Speaker.	McDaniel.
Amsler.	McDonald.
Arnold.	McFarlane.
Avis.	McNatt.
Baker of Milam.	Martin.
Baker of Orange.	Mathes.
Barker.	Melson.
Beasley.	Merritt.
Bell.	Montgomery.
Bonham.	Moore.
Bryant.	Morgan
Burmeister.	of Robertson.
Carpenter	Patman.
of Matagorda.	Patterson.
Carson.	Perdue.
Chitwood.	Pinkston.
Coffee.	Pool.
Covey.	Potter.
Culp.	Purl.
Davenport.	Quaid.
DeBerry.	Quinn.
Dinkle.	Rice.
Dodd.	Robinson.
Downs.	Rogers.
Driggers.	Rountree.
Duffey.	Russell
Dunlap.	of Callahan.
Dunn.	Sackett.
Durham.	Sanford.
Faubion.	Satterwhite.
Finlay.	Shearer.
Gipson.	Shires.
Green.	Simpson.
Greer.	Smith.
Hardin of Erath.	Sparkman.
Hardin	Stell.
of Kaufman.	Stewart.
Harrington.	of Edwards.
Harris.	Stewart of Jasper.
Hendricks.	Stewart of Reeves.
Irwin.	Stiernberg.
Jacks.	Storey.
Jennings.	Stroder.
Jones.	Teer.
Kemble.	Thrasher.
Lackey.	Wells.
Laird.	Westbrook.
Lane.	Wilson.
Lewis.	Winfree.
McBride.	Young.

Nays—16.

Abney.	Hughes.
Atkinson.	LeSturgeon.
Bird.	Looney.
Cable.	McKean.
Collins.	Miller.
Fields.	Morgan
Fugler.	of Liberty.
Henderson	Wallace.
of McLennan.	Wessels.

Absent.

Baldwin.	Hull.
Barrett.	Lamb.
Blount.	LeMaster.
Brady.	Loftin.
Carpenter	Maxwell.
of Dallas.	Pate.
Carter of Hays.	Pope.
Cowen.	Price.
Crawford.	Russell of Trinity.
Davis.	Stevens.
Dielmann.	Sweet.
Edwards.	Thompson.
Henderson	Turner.
of Marion.	Vaughan.
Houston.	Wilmans.
Howeth.	

Absent—Excused.

Bobbitt.	Merriman.
Carter of Coke.	Rowland.
Frnka.	Strickland.
Johnson.	Williamson.
Lusk.	

The Speaker then laid Senate bill No. 249 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—93.

Mr. Speaker.	Greer.
Arnold.	Hardin of Erath.
Avis.	Hardin
Baker of Milam.	of Kaufman.
Baker of Orange.	Harrington.
Barker.	Harris.
Beasley.	Henderson
Bell.	of Marion.
Bird.	Hendricks.
Bonham.	Irwin.
Bryant.	Jacks.
Burmeister.	Jennings.
Carpenter	Kemble.
of Matagorda.	Lackey.
Carson.	Lane.
Chitwood.	Lewis.
Coffee.	Looney.
Collins.	McBride.
Covey.	McDaniel.
Davenport.	McDonald.
DeBerry.	McFarlane.
Dinkle.	McNatt.
Dodd.	Martin.
Driggers.	Mathes.
Duffey.	Maxwell.
Dunlap.	Melson.
Dunn.	Miller.
Durham.	Montgomery.
Faubion.	Moore.
Finlay.	Morgan
Fugler.	of Robertson.
Gipson.	Patterson.
Green.	Pinkston.

Pool.	Sparkman.
Potter.	Stell.
Price.	Stevens.
Purl.	Stewart.
Quaid.	of Edwards.
Rice.	Stewart of Jasper.
Robinson.	Stewart of Reeves.
Rogers.	Stiernberg.
Rountree.	Storey.
Russell	Stroder.
of Callahan.	Teer.
Sackett.	Thrasher.
Sanford.	Wallace.
Satterwhite.	Wells.
Shearer.	Wilson.
Simpson.	Winfree.
Smith.	Young.

Nays—15.

Abney.	Laird.
Atkinson.	LeSturgeon.
Cable.	McKean.
Fields.	Merritt.
Henderson	Morgan
of McLennan.	of Liberty.
Howeth.	Perdue.
Hughes.	Wessels.

Absent.

Amsler.	Jones.
Baldwin.	Lamb.
Barrett.	LeMaster.
Blount.	Loftin.
Brady.	Pate.
Carpenter	Patman.
of Dallas.	Pope.
Carter of Hays.	Quinn.
Cowen.	Russell of Trinity.
Crawford.	Shires.
Culp.	Sweet.
Davis.	Thompson.
Dielmann.	Turner.
Downs.	Vaughan.
Edwards.	Westbrook.
Houston.	Wilmans.
Hull.	

Absent—Excused.

Bobbitt.	Merriman.
Carter of Coke.	Rowland.
Frnka.	Strickland.
Johnson.	Williamson.
Lusk.	

## SENATE BILL NO. 256 ON SECOND READING.

The Speaker laid before the House, as a special order for this hour, on its second reading and passage to third reading,

S. B. No. 256, A bill to be entitled "An Act creating an educational survey commission to make a thorough survey of the public educational system of the State; providing for its selection by a

survey committee, designated in this act; designating the number of members of said educational survey commission, providing for its organization, and prescribing the qualifications of a majority of the members thereof; providing for a complete report of the findings and recommendations of the educational survey commission to be made to the Governor and Legislature by December 1, 1924; providing for the employment by the educational survey commission of a survey secretary and staff of assistants to make a survey of the school system of the State; providing that the educational survey commission and its employes shall have access to all public records and providing a penalty for the violation of this provision of this act; appropriating the sum of \$50,000, or as much thereof as may be necessary, to defray the expenses of the proposed educational survey, and prescribing the manner of its disbursement, and declaring an emergency."

The bill was read second time.

Mr. Quaid offered the following amendment to the bill:

Amend Senate bill No. 256, page 4, line 9, by adding after the word "records" the following: "Provided no part of this appropriation shall be available before September 1, 1923."

Mr. Finlay moved a call of the House for the purpose of maintaining a quorum until 10 o'clock p. m. today, and the call was duly seconded and ordered.

The Speaker then directed the Doorkeeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

The roll was called and a quorum was announced present.

Mr. Purl moved that the Sergeant-at-Arms be instructed to bring in all absentees within the city.

The motion was lost.

Question recurring on the amendment by Mr. Quaid, it was adopted.

Mr. Greer offered the following amendment to the bill:

Amend the bill, Section 4, page 3, of the engrossed bill, by striking out of said Section 4, the following clause: "a majority of whom shall be citizens of the State of Texas."

Mr. Greer moved the previous question on the pending amendment and the bill, and the main question was ordered.

Question recurring on the amendment by Mr. Greer, it was adopted.

Senate bill No. 256 was then passed to third reading.

Mr. Burmeister moved to extend the call of the House to 11 o'clock p. m. today.

The motion was lost.

#### MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, March 8, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 70, A bill to be entitled "An Act to provide an old age pension system for resident citizens over the age of seventy years; providing for the administration of the system through the county commissioners court of the various counties in the State and requiring the payment of the old age pension and the expense of the administration from the general revenue of the county of which the applicant is a resident; prescribing the qualifications of an applicant for a pension under the act and permitting the discontinuance of the pension on conviction of an offense or upon evidence of changed status of the pensioner; and fixing the punishment of any applicant or other person violating any of the provisions of the act; defining certain terms used in the act and identifying the measure as the Old Age Pension Act of the State of Texas."

S. B. No. 239, A bill to be entitled "An Act to authorize the Commissioner of the General Land Office of the State of Texas to issue an oil and gas lease to Mrs. Virgie D. Hardee, for a term of five years and subject to renewal for ten years if oil or gas should be found in paying quantities, upon the 761-2 acres in San Jacinto Bay, Harris county, that was heretofore included in oil and gas permit No. 2168, issued by the Commissioner of the General Land Office to the said Mrs. Hardee on August 2, 1917, and to H. M. Holden, his heirs or assigns, for a like term of five years upon the 703.86 acres in Nueces Bay, Nueces county, that was heretofore included in oil and gas permit No. 5242, issued by the Commissioner of the General Land Office to the said Holden on October 17, 1919, and to R. L. Garrett, his heirs or assigns,

for a like term of five years upon the 991.48 acres in Nueces Bay, Nueces county, Texas, that was heretofore included in oil and gas permit No. 5246, issued by the Commissioner of the General Land Office to the said Garrett on October 17, 1919, conditioned that the respective owners of said lease shall pay to the General Land Office, in advance of each of the five years, for the benefit of the available school fund, a sum of money equal to twenty-five cents per acre for the first year; fifty cents per acre for the second year; seventy-five cents per acre for the third year and one dollar per acre for the fourth and fifth years; provided, no further sum per acre shall be paid after oil and gas shall have been developed in paying quantities and a royalty begins to be paid and continues to be paid monthly, equal to one-eighth of the value of the gross production of oil and gas, providing for forfeiture and reinstatement, and declaring an emergency."

The Senate refuses to concur in House amendment to Senate bill No. 100 and requests a Free Conference Committee to adjust the differences. The following are appointed on behalf of the Senate: Senators Fairchild, McMillin, Watts, Floyd and Wirtz.

The Senate has concurred in House amendments to Senate bill No. 155.

Respectfully,  
RICHARD BLALOCK,  
Assistant Secretary of the Senate.

#### SENATE BILL NO. 164 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 164, A bill to be entitled "An Act to amend Chapter 1, Title 29, of the Revised Civil Statutes of Texas of 1911, by adding thereto Articles 1459a and 1459b; providing for the auditing of the books, records and accounts of district, county and precinct officers, agents and employes and of institutions maintained by the county, and at public expense or order of the county commissioners court, and declaring an emergency."

The bill was read second time.

Mr. Kemble offered the following amendment to the bill:

Amend Senate bill No. 164, line 32, by adding after the word "county," the following: "provided the salary of each



shall not exceed ten (\$10) dollars per day."

The amendment was adopted.

Mr. Burmeister moved that the call of the House be extended to 10:45 o'clock p. m. today, and the motion prevailed.

Senate bill No. 164 was then passed to third reading.

#### SENATE BILL NO. 169 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 169, A bill to be entitled "An Act permitting building and loan associations organized under Chapter 33 of the First Called Session of the Thirty-third Legislature to use the word 'savings' in their corporate names and advertising."

The bill was read second time.

On motion of Mr. Irwin, the bill was laid on the table subject to call.

#### SENATE BILL NO. 173 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 173, A bill to be entitled "An Act to permit the manufacture of gasoline, carbon black or other products from natural gas produced within 25 miles of the boundary line of an adjoining State in which the manufacture of gasoline, carbon black or other products from natural gas is not prohibited by law; providing that neither the Railroad Commission or any officer or board acting under authority from the State of Texas shall have the power to interfere therewith, and declaring an emergency."

The bill was read second time.

Mr. Burmeister offered the following amendment to the bill:

Amend the Senate amendment offered by Senator Burkett by adding the following: "By the term 'casinghead gas plant' is meant any plant which is utilized for the purpose of extracting gasoline from the vapor or gases escaping from a well or wells producing oil in marketable quantities, as distinguished from a plant utilized to extract gasoline from a well or wells producing natural gas only. Provided, that the use of such residue gas for the purpose of carbon black manufacture shall be subject to the rules and regulations conforming to

this act, which it is hereby made the duty of the Railroad Commission to promulgate governing the same, to the general oil and gas conservation laws of the State and existing rules and regulations of said Railroad Commission relating thereto."

Mr. Patman moved to postpone further consideration of the bill indefinitely.

Question recurring on the amendment by Mr. Burmeister, it was adopted.

Mr. Moore offered the following amendment to the bill:

Amend (committee) amendment No. 1 to Senate bill No. 173, Section 1, by striking out the words "gas deposits" and inserting in lieu thereof the following: "gas well with a rock pressure of 200 pounds or less."

Mr. Burmeister offered the following amendment to the amendment:

Amend the amendment by striking out the word "rock" and insert the word "high."

Question first recurring on the amendment to the amendment, it was lost.

Question recurring on the amendment by Mr. Moore, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—62.

Abney.	Hughes.
Amsler.	Hull.
Atkinson.	Irwin.
Baker of Orange.	Jacks.
Barker.	Kemble.
Bird.	Lane.
Brady.	McBride.
Bryant.	McDonald.
Carpenter	McNatt.
of Matagorda.	Martin.
Carson.	Maxwell.
Chitwood.	Moore.
Coffee.	Morgan
Collins.	of Robertson.
Culp.	Patman.
DeBerry.	Patterson.
Dodd.	Potter.
Duffey.	Price.
Fields.	Purl.
Fugler.	Quaid.
Green.	Rice.
Greer.	Robinson.
Hardin of Erath.	Rogers.
Henderson	Russell
of Marion.	of Callahan.
Henderson	Sackett.
of McLennan.	Shires.
Hendricks.	Simpson.
Howeth.	Smith.

Sparkman.	Stewart of Reeves.
Stell.	Stiernberg.
Stevens.	Thrasher.
Stewart	Turner.
of Edwards.	

Nays—49.

Arnold.	McDaniel.
Avis.	McKean.
Baker of Milam.	Mathes.
Beasley.	Melson.
Bell.	Merritt.
Bonham.	Miller.
Burmeister.	Montgomery.
Cable.	Morgan
Crawford.	of Liberty.
Davenport.	Pinkston.
Dielmann.	Pope.
Downs.	Quinn.
Driggers.	Sanford.
Dunlap.	Satterwhite.
Durham.	Shearer.
Edwards.	Stewart of Jasper.
Faubion.	Storey.
Finlay.	Stroder.
Harrington.	Teer.
Hardin	Wallace.
of Kaufman.	Wells.
Harris.	Westbrook.
Jennings.	Wessels.
Laird.	Wilson.
LeStourgeon.	Winfree.
Loftin.	

Present—Not Voting.

Covey. Young.

Absent.

Baldwin.	Lamb.
Barrett.	LeMaster.
Blount.	Lewis.
Carpenter	Looney.
of Dallas.	McFarlane.
Carter of Hays.	Pate.
Cowen.	Perdue.
Davis.	Rountree.
Dinkle.	Russell of Trinity.
Dunn.	Sweet.
Gipson.	Thompson.
Houston.	Vaughan.
Jones.	Wilmons.
Lackey.	

Absent—Excused.

Bobbitt.	Lusk.
Carter of Coke.	Merriman.
Frnka.	Strickland.
Johnson.	Williamson.

Paired.

Mr. Pool (present), who would vote "yea," with Mr. Rowland (absent), who would vote "nay."

Mr. Abney offered the following amendment to the bill:  
Amend Senate bill No. 173 by adding

to Section 1 the following: "Provided this section shall apply only to those counties from which an adjacent State takes Texas gas for the purpose of manufacturing same into carbon black."

Mr. Burmeister moved a call of the House for the purpose of maintaining a quorum pending consideration of Senate bill No. 173, and the call was duly seconded.

The Speaker then directed the Doorkeeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

The roll was called and a quorum was announced present.

Mr. Davenport moved the previous question on the pending amendment, the motion to postpone indefinitely and the bill, and the main question was ordered.

Question first recurring on the amendment by Mr. Abney, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—57.

Abney.	Lane.
Amsler.	McBride.
Atkinson.	McDonald.
Baker of Orange.	McFarlane.
Barker.	McNatt.
Bird.	Martin.
Brady.	Morgan
Bryant.	of Liberty.
Burmeister.	Patman.
Carson.	Patterson.
Collins.	Perdue.
Culp.	Potter.
DeBerry.	Price.
Dinkle.	Purl.
Dodd.	Quaid.
Dunlap.	Rice.
Dunn.	Robinson.
Durham.	Rogers.
Fields.	Russell
Fugler.	of Callahan.
Green.	Shires.
Harrington.	Simpson.
Henderson	Sparkman.
of McLennan.	Stevens.
Hendricks.	Stewart
Howeth.	of Edwards.
Hughes.	Stewart of Reeves.
Irwin.	Stiernberg.
Jacks.	Thrasher.
Kemble.	Turner.

Nays—46.

Arnold.	Baker of Milam.
Avis.	Beasley.

Bell.	Merritt.
Bonham.	Miller.
Cable.	Montgomery.
Coffee.	Moore.
Crawford.	Morgan
Davenport.	of Robertson.
Downs.	Pinkston.
Duffey.	Pope.
Faubion.	Sackett.
Hardin of Erath.	Sanford.
Hardin	Shearer.
of Kaufman.	Stell.
Harris.	Stewart of Jasper.
Jennings.	Storey.
Laird.	Teer.
LeSturgeon.	Wallace.
McDaniel.	Wells.
McKean.	Westbrook.
Mathes.	Wessels.
Maxwell.	Wilson.
Melson.	Winfree.

## Present—Not Voting.

Carpenter	Driggers.
of Matagorda.	Finlay.
Covey.	Young.
Dielmann.	

## Absent.

Baldwin.	Lackey.
Barrett.	Lamb.
Blount.	LeMaster.
Carpenter	Lewis.
of Dallas.	Looney.
Carter of Hays.	Pate.
Cowen.	Quinn.
Davis.	Rountree.
Gipson.	Russell of Trinity.
Greer.	Smith.
Henderson	Strickland.
of Marion.	Sweet.
Houston.	Thompson.
Hull.	Vaughan.

## Absent—Excused.

Bobbitt.	Merriman.
Carter of Coke.	Stroder.
Johnson.	Williamson.
Lusk.	

## Paired.

Mr. Pool (present), who would vote "yea," with Mr. Rowland (absent), who would vote "nay."

Mr. Edwards (present), who would vote "nay," with Mr. Hardin (absent), who would vote "yea."

Mr. Loftin (present), who would vote "yea," with Mr. Jones (absent), who would vote "nay."

Mr. Chitwood (present), who would vote "nay," with Mr. Frnka (absent), who would vote "yea."

Mr. Satterwhite (present), who would vote "nay," with Mrs. Wilmans (absent), who would vote "yea."

Question recurring on the motion to postpone indefinitely, yeas and nays were demanded.

The roll was called and the vote was announced as follows: Yeas 53, nays 52.

Mr. Satterwhite called for a verification of the vote.

The roll of the yeas and nays was called and the verified vote stood as follows:

## Yeas—53.

Abney.	McFarlane.
Baker of Orange.	McNatt.
Barker.	Martin.
Bird.	Melson.
Brady.	Morgan
Bryant.	of Liberty.
Carson.	Morgan
Collins.	of Robertson.
Culp.	Patman.
DeBerry.	Patterson.
Dodd.	Potter.
Duffey.	Price.
Dunn.	Purl.
Fields.	Quaid.
Fugler.	Rice.
Gipson.	Robinson.
Green.	Russell
Harrington.	of Callahan.
Henderson	Shires.
of McLennan.	Simpson.
Hendricks.	Sparkman.
Howeth.	Stevens.
Hughes.	Stewart
Irwin.	of Edwards.
Jacks.	Stewart of Reeves.
Kemble.	Stiernberg.
Lane.	Stroder.
McBride.	Thrasher.
McDonald.	Turner.

## Nays—52.

Amsler.	Jennings.
Arnold.	Laird.
Atkinson.	LeSturgeon.
Avis.	McDaniel.
Baker of Milam.	McKean.
Bell.	Mathes.
Bonham.	Maxwell.
Burmeister.	Merritt.
Cable.	Miller.
Coffee.	Montgomery.
Crawford.	Moore.
Davenport.	Perdue.
Dielmann.	Pinkston.
Dinkle.	Pope.
Downs.	Rogers.
Driggers.	Sackett.
Dunlap.	Sanford.
Durham.	Shearer.
Faubion.	Smith.
Finlay.	Stell.
Hardin of Erath.	Stewart of Jasper.
Hardin	Storey.
of Kaufman.	Teer.
Harris.	Wallace.

Wells.	Wilson.
Westbrook.	Winfree.
Wessels.	
Present—Not Voting.	

Carpenter	Satterwhite.
of Matagorda.	Young.
Covey.	

Absent.

Baldwin.	Lamb.
Barrett.	LeMaster.
Blount.	Lewis.
Carpenter	Looney.
of Dallas.	Pate.
Carter of Hays.	Quinn.
Cowen.	Rountree.
Davis.	Russell of Trinity.
Greer.	Sweet.
Houston.	Thompson.
Hull.	Vaughan.
Jones.	Wilms.
Lackey.	

Absent—Excused.

Carter of Coke.	Strickland.
Lusk.	Williamson.
Merriman.	

Paired.

Mr. Beasley (present), who would vote "nay," with Mr. Bobbitt (absent), who would vote "yea."

Mr. Loftin (present), who would vote "yea," with Mr. Johnson (absent), who would vote "nay."

Mr. Henderson of Marion (present), who would vote "yea," with Mr. Edwards (absent), who would vote "nay."

Mr. Pool (present), who would vote "yea," with Mr. Rowland (absent), who would vote "nay."

Mr. Chitwood (present), who would vote "nay," with Mr. Frnka (absent), who would vote "yea."

#### BILLS SIGNED BY THE SPEAKER.

The Speaker signed in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills:

S. B. No. 151, "An Act to amend subdivision 3 of Section 27 of House bill No. 17, passed at the First Called Session of the Thirty-third Legislature, it being also referred to as part of Article 1313p of the volume known as Complete Texas Statutes of 1920, so as to add a provision that certain building and loan associations chartered by adjacent States, may sell stock and conduct business in certain cities in Texas, without making the cash deposit or bond required in said subdivision."

S. B. No. 197, "An Act to amend Section 1 of an act passed by the Thirty-fourth Legislature of Texas and approved March 22, 1915, creating the Tenth Judicial District of Texas, the same being Chapter 70 of the Acts of the Regular Session of the Thirty-fourth Legislature, and to create the Tenth Supreme Judicial District of Texas, and to provide for the organization of a Court of Civil Appeals within the said Tenth Supreme Judicial District, and to repeal all laws in conflict herewith, and declaring an emergency."

S. B. No. 107, "An Act providing for the appointment of the Banking Commissioner of Texas, fixing his term of office, official name, compensation, and prescribing his qualifications and duties; providing for a seal of office; requiring of the Banking Commissioner of Texas an oath of office and a bond for the faithful discharge of his duties; providing for the appointment of a deputy commissioner of banking; defining his duties; fixing his compensation; providing clerical help for such department; providing for the appointment of State bank examiners; fixing their number, salaries and duties; providing for the number of examinations that shall be made by State examiners of State banks; fixing the fees they shall be paid for such examinations, salaries and expenses of examinations, and providing how payments shall be made; providing for the appointment of a departmental examiner; prescribing his duties and fixing his compensation; providing for the appointment of a general liquidation agent; prescribing his duties and fixing his compensation; amending Chapter 10, General Laws of Texas, passed by the First Called Session of the Twenty-ninth Legislature in 1905, being Senate bill No. 6, and amending Section 38 of said Chapter 10; amending Chapter 205, General Laws of the Thirty-fifth Legislature, passed at the Regular Session in 1917, and amending Section 5 of said Chapter 205; amending Chapter 15 of the Second Called Session of the Thirty-first Legislature, passed in 1909, being Senate bill No. 4; amending Articles 518, 519, 521, Vernon Sayles' Revised Statutes of the State of Texas, as amended by the Acts of the Thirty-first Legislature at its Regular Session in 1909, being Section 44 of Chapter 15 of Senate bill No. 4, and Article 521a, Vernon Sayles' Revised Statutes of the State of Texas, as amended by Chapter 205, Section 7,

Acts of the Thirty-fifth Legislature at its Regular Session in 1917; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

S. B. No. 128, "An Act to require all locomotives, engines and boilers operated in or near any forest or other land adjacent to forest land and not equipped to use oil for fuel, to be provided with an efficient device to prevent the escape of sparks and fire; providing such fire prevention devices must be maintained in repair; providing a penalty for non-compliance; providing that no person shall wilfully or negligently cause or permit forest or other fires that may damage forest growth, and providing a penalty."

#### ADJOURNMENT.

On motion of Mr. Patman, the House, at 11:50 o'clock p. m., adjourned until 10 o'clock a. m. tomorrow.

#### APPENDIX.

##### STANDING COMMITTEE REPORTS.

The following committees have filed favorable reports on bills as follows:

Constitutional Amendments—Senate joint resolution No. 5.

Appropriations—House bills Nos. 689, 9, 400.

School Districts—House bills Nos. 691, 647; Senate bills Nos. 390, 362.

Roads, Bridges and Ferries—Senate bills Nos. 364, 688.

Common Carriers—House Bill No. 681; Senate Bill No. 128.

Judiciary—Senate bill No. 201; House bill No. 685.

Education—Senate bill No. 176; House bill No. 679.

State Affairs—House bill No. 690.

Commerce and Manufactures—Senate bill No. 173.

Counties—House bill No. 575; Senate bill No. 132.

Public Lands and Buildings—Senate bill No. 344.

The following committee has filed unfavorable reports on bills as follows:

State Affairs—Senate bills Nos. 175, 333.

##### REPORTS OF COMMITTEE ON ENROLLED BILLS.

Committee Room,

Austin, Texas, March 5, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 168, "An Act amending Section 25 of an act passed at the First Called Session of the Thirty-fifth Legislature of the State of Texas, entitled 'An Act to create a permanent Textbook Commission for the State of Texas, to be styled The Texas State Textbook Commission, defining its membership and appointment,' etc., being Senate bill No. 16, Chapter 44, of said Acts of the First Called Session of the Thirty-fifth Legislature, and to repeal all laws in conflict herewith, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled, and have this day, at 4:05 o'clock p. m., presented same to the Governor for his approval.

HENDRICKS, Chairman.

Committee Room,

Austin, Texas, March 7, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 519, "An Act validating Consolidated Common School District No. 1 of Castro county, Texas, and validating an issue of bonds heretofore voted by said district, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled, and have this day at 4:05 o'clock p. m., presented same to the Governor for his approval.

HENDRICKS, Chairman.

Committee Room,

Austin, Texas, March 7, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 449, "An Act to amend an act of the Thirty-first Legislature, First Called Session, Chapter 5, Special Laws, entitled 'An Act creating an independent school district to be known as the Goliad Independent School District, including within its limits the unincorporated town of Goliad in Goliad county, and to provide for a board of trustees and other officers of such district; to authorize the board of trustees to levy, assess and collect special taxes, and to issue and dispose of bonds of such district for the purpose of purchasing school sites, and erecting, repairing, furnishing and equipping school buildings within the same, and to pay current expenses in the maintenance and support of the public schools therein, and to further prescribe the duties and

authority of said board of trustees, and declaring an emergency,' and by this amended act to provide for the assumption by the Goliad Independent School District, as hereby created, of all outstanding indebtedness now existing against same, and to provide for the payment of the outstanding indebtedness against Common School District No. 2, Goliad county, and declaring an emergency; said act to be so amended as to hereafter read as follows,"

Have carefully compared same and find it correctly enrolled, and have this day at 4:05 o'clock p. m., presented same to the Governor for his approval.

HENDRICKS, Chairman.

Committee Room,

Austin, Texas, March 8, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 589, "An Act creating the Santa Margarita Independent School District in Willacy county, Texas, and defining its boundaries; providing for the election of a board of trustees therefor; providing for the election of a secretary, treasurer, assessor and collector of taxes and all other necessary officers and committees, and prescribing their qualifications; investing said district with all the rights, powers, privileges and duties of a town or village incorporated under the general laws of the State for free school purposes only, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled, and have this day, at 4:05 o'clock p. m., presented same to the Governor for his approval.

HENDRICKS, Chairman.

Committee Room,

Austin, Texas, March 8, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 563, "An Act to amend Section 1 of an act entitled 'An Act creating the Pflugerville Independent School District in Travis and Williamson counties, Texas; consolidating into said independent school district the territory included in the present Pflugerville Independent School District, Common School District No. 56, Common School District No. 12, Williamson and Travis County Line School District No. 14, and Common District No. 15; defining its boundaries,

vesting it with the rights, powers, duties and privileges of districts incorporated for school purposes only under the general law; providing for a board of trustees therefor; making provision for taxation for school purposes in said district, and declaring an emergency,' being House bill No. 608 passed by the Regular Session of the Thirty-sixth Legislature, as amended by House bill No. 51 passed by the Second Called Session of the Thirty-sixth Legislature; changing and correcting the boundary lines of said school district and validating and confirming the election of school trustees for said district, and declaring an emergency; providing for the election of trustees in said school district and validating and confirming the election of school trustees for said school district,"

Have carefully compared same and find it correctly enrolled, and have this day, at 4:05 o'clock p. m., presented same to the Governor for his approval.

HENDRICKS, Chairman.

Committee Room,

Austin, Texas, March 8, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 588, "An Act amending Sections 1 and 5 of Chapter 31 of the Local and Special Laws of the State of Texas, passed by the Thirty-sixth Legislature at its Second Called Session, entitled 'An Act amending and revising the metes and bounds of the Raymondville Independent School District (formerly in Cameron county but now in Willacy county);' providing that all jurisdiction shall attach to officers of Willacy county instead of Cameron county,"

Have carefully compared same and find it correctly enrolled, and have this day at 4:05 o'clock p. m., presented same to the Governor for his approval.

HENDRICKS, Chairman.

Committee Room,

Austin, Texas, March 6, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 540, "An Act to fix the salaries of the judge of the county court of Dallas County at Law No. 1 and of the judge of the county court of Dallas County at Law No. 2, and prescribe the method of payment,"

Have carefully compared same and find it correctly enrolled, and have this day at 4:05 o'clock p. m., presented same to the Governor for his approval.  
HENDRICKS, Chairman.

Committee Room,  
Austin, Texas, March 8, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 600, "An Act to amend Chapter 18, of the Local and Special Laws, passed at the Regular Session of the Thirtieth Legislature and the same being an act to create the Tulia Independent School District in Swisher county, Texas, adding thereto Section 6a, validating bond elections heretofore held and bonds issued thereunder, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled, and have this day, at 4:05 o'clock p. m., presented same to the Governor for his approval.  
HENDRICKS, Chairman.

Committee Room,  
Austin, Texas, March 6, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 610, "An Act to amend Section 1, of Chapter 3, Local and Special Laws, Third Called Session, Thirty-sixth Legislature, amending and revising the metes and bounds of the Moran Independent School District in Shackelford and Callahan counties, Texas, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled, and have this day, at 4:05 o'clock p. m., presented same to the Governor for his approval.  
HENDRICKS, Chairman.

Committee Room,  
Austin, Texas, March 7, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 25, Fixing date of adjournment sine die,

Have carefully compared same and find it correctly enrolled.

HENDRICKS, Chairman.

# FORTY-SECOND DAY.

(Friday, March 9, 1923.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Seagler.

The roll was called and the following members were present:

Abney.	Jacks.
Amsler.	Jennings.
Arnold.	Kemble.
Atkinson.	Lackey.
Avis.	Laird.
Baker of Milam.	Lamb.
Baker of Orange.	Lane.
Barker.	LeMaster.
Barrett.	LeSturgeon.
Beasley.	Lewis.
Bell.	Loftin.
Bird.	Looney.
Blount.	McBride.
Bobbitt.	McDaniel.
Bonham.	McDonald.
Brady.	McFarlane.
Bryant.	McKean.
Burmeister.	McNatt.
Cable.	Martin.
Carpenter	Mathes.
of Dallas.	Maxwell.
Carpenter	Melson.
of Matagorda.	Merritt.
Carson.	Montgomery.
Carter of Hays.	Moore.
Chitwood.	Morgan
Coffee.	of Robertson.
Collins.	Pate.
Covey.	Patman.
Cowen.	Patterson.
Crawford.	Perdue.
Davenport.	Pinkston.
Davis.	Potter.
DeBerry.	Purl.
Dinkle.	Quaid.
Dodd.	Rice.
Downs.	Robinson.
Driggers.	Rogers.
Duffey.	Rountree.
Dunlap.	Russell
Dunn.	of Callahan.
Durham.	Russell of Trinity.
Edwards.	Sackett.
Faubion.	Sanford.
Fields.	Satterwhite.
Gipson.	Shearer.
Hardin of Erath.	Shires.
Hardin	Simpson.
of Kaufman.	Smith.
Harrington.	Sparkman.
Harris.	Stell.
Henderson	Stewart
of Marion.	of Edwards.
Howeth.	Stewart of Jasper.
Hughes.	Stewart of Reeves.
Irwin.	Stiernberg.